THE NEVV MAN

OR,

A SVPPLICATION FROM AN vnknowne Person, a Roman Catholike vnto IAMES, *the Monarch of Great Brittaine, and* from him to the Emperour, Kings, and Princes of the Christian World.

Touching

The causes and reasons that will argue a necessity *of a Generall Councell to be forthwith assembled a*gainst him that now vsurps the papall Chaire vnder the name of *Paul* the fifth.

Wherein are discouered more of the secret Iniqui*ties of that Chaire and Court, then hitherto their friends feared, or their very aduersaries did suspect.*

Translated into English by *William Crashaw*, Batchelour in Diuinity, according to the Latine Copy, [illegible] from [illegible] *Rome* into *England*.

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TO THE MOST INVINCIBLE, AND VVIseſt King, and mighty Monarch, IAMES *King of* England, &c.

THe *buſineſſe of Religion, and the truth (moſt Noble King) is brought to that paſſe, that if it find not a Patron and Promoter, it will preſently bee in a deſperate caſe: for all men neglect the publicke, and being wholly taken vp with their priuate ends, neuer take to heart what becomes of it*: So it, that indeede is euery mans, " is made no mans caſe.

It is now cleere and none is ignorant of it who cares to know any thing that the Church of Rome is deſtitute of a Paſtor, and all the world rings of the Intruſion, Symony and ſluggiſhneſſe now raigning in Rome, and not a na-

tion in Europe, but talkes thereof, and how the Papacy is preyed vpon, consumed and deuoured. This is euident and knowne to all that are wise, and discreetly obserue the carriages and courses of the world. And no lesse is seene and obserued, and euery day talkt on in the Courts, and at the Councell Tables euen of Catholike Princes: yet all hold their peace, and deepely dissemble, and honour him as Pope, that now beares the name of Bishop of Rome, though indeed and truth he be not so: Not one is found so bold and iust as to call the matter to the iudgement of lawfull Censors: *No alas, that seuere kind of Maiestrate,* a supreme Censor *is now out of vse, which makes the World, and euen the Church it selfe so farre out of frame.*

Therefore in this necessity God hath stirred vp me a New Man, & an vnknowne creature, *and hath so erected and inspired my Pen, as I haue truely set downe all the causes and reasons why a Generall Councell for an vniuersall reformation ought necessarily with all speede to be assembled, and hauing included them all in this present supplication, hath enboldned in me &c. to giue notice of them to the*

whole

whole World, and in the name of the omnipotent and Almighty God, to mainetaine them against all Gainesayers.

And seeing amongst all Princes professing Christian Religion, this our age findes onely you so incomparably happy (most mighty Prince) as that your Princely Minde & royall meanes are accompanied with exquisite learning in all kinds that may adorne a King. And that by your most learned Writings (the fruits of that learning) your Maiesty hath wonne the loue or at least the admiration of all Princes in the World, each one professing to honour your Maiesty with extraordinary obseruance and respect: I therefore hold my labour would bee best bestowed in exhibiting this my present supplication and intimation, first of all to you (most wise and worthy King) that from you, and vnder your most renowned and glorious name it might be sent to the Emperour, and the rest of the Kings and Princes of Europe, who therefore will vndoubtedly with more applause receiue it, & with all attention & diligence read and peruse it: wherby we may hope that a holy free generall Councel shall atlast be obtained (which is the supreme & soueraigne medicine for the Churches sicknes) *and*

the Church of Rome by the meanes and authority of your Maieſty bee purged and re-

Thus (happieſt King) I bid your Maieſty right heartily well to fare. At Rome the Calends of March. 1612.

Your excellent Maieſties moſt deuoted Seruant

The New Man

THE

THE PVBLISHERS OF this Booke to the Reader.

FRiendly Reader, although to him that desires and longs to run ouer a new booke with all hast possible (as most men vse to do) all stops and hinderances especially in the entrance and beginnings are most vnwelcome, then with respect I will not hold thee from this so strange a Booke with a tedious Preface (which for the most part is odious) yet hold I it well worth my labour to write and chuse to reade so much as shall shew thee certaine necessary circumstances, the vnderstanding whereof shall bee to thee as a Torch in a darke night, and giue thee such light in reading, as you shall thinke the labour well bestowed, and not blame but thanke him, who by this short Preface of one leafe keepes thee from reading this rare and vncouth booke.

As to the Author therefore of this Book which is the first and principall and most remarkeable point, that which wee would haue thee know is briefely thus much. He is not one of those whereof there are too many, who liuing in remote countries and climates, yet doubt not to write to all the worlds readings, the things themselues know not at all, & for which they haue no better euidence, but the fickle report of certaine partly

ignorant, partly idle-headed Mates (who either totally deuiſe or at leaſt by long carriage doe improue and inlarge all their newes and narrations. But this Author as hee writes of Rome, and the things there done, ſo he liued in Rome, and was a member (and it ſeemes no meane one) euen in that gouernement and common-wealth, and in the dayly company and conuerſation of all thoſe men, and euen in the boſomes of ſome of them, of whom he writes theſe ſtrange matters whereof we make thee partaker in this booke.

Now ſo it fell out, that not long agoe hee departing this life, left this booke, by him written, in the hands and keeping of a certaine ſpeciall friend of his, whether caſually, or on ſet purpoſe we know not. But he as it ſeemes either not knowing, or little regarding what contained, or at leaſt little thinking it ſhould euer haue bin publiſhed, made it not dainty to deliuer it to an Engliſh Gentleman, then as it fell out, ſoiourning and remaining in that County, whether he gaue it him or lent it, or ſold it, or exchanged it, wee cannot ſay. But in a word from his owne hand he had it, and from him had we it, and ſo by good hap it came into ſuch hands as knew in ſome meaſure what vſe to make of it: for hauing peruſed it aduiſedly, we ſoone diſcouered in it many matters of no little moment, and well worthy all mens knowledge, we therefore hold it very expedient for vs, and no leſſe welcome to the world to haue it publiſhed, and therby made ſubiect to all mens view. And this we haue done according to the truth of the Authors owne Copy, written as it

ſeemes

ſeemes with his owne hand, without any deceitfull alteration of words or matter. And the more willingly entertained wee this reſolution, in as much as the Author himſelf had it in his thoughts to haue publiſhed this worke, and had deſired in his owne life time, to direct and dedicate it to his excellent Maieſty of great Brittaine, as appeares by his owne Epiſtle here prefixed. Hauing therefore printed the Authors true Coppy, and that which himſelfe intended to publiſh and direct it to no other but him to whom the Author himſelfe intended it, the World may be witneſſe with vs of our faire dealing: So farre are we from giuing iuſt cauſe for any man to ſay that either wee haue ranſackt, and robbed the Coffers and Deskes of a dead man, or that we diuulged ſuch things as hee deſired to haue ſuppreſſed, when he cannot ſpeake nor pleade for himſelfe: (both which we confeſſe might worthily be held diſhoneſt tricks.)

And thus good Reader, we haue ſaid, and now withdrawing our Pen, intend not with a tedious Preamble, a thing iuſtly odious longer to detaine thee from being better acquainted with this Booke. Now therefore ſet to it, *reade, marke, and maruell*, and ceaſe not till you come to the wiſhed end. *Farewell.*

THE

The Translator to the Reader.

HEre, good Reader, thou hast the Tower of Romish Babel, not shaken or battered, but euen cast downe to the ground with their owne ordinance, euen the maine grounds of Popish Religion ouerthrowne by one of themselues, and that altogether vp their owne Principles, and by their owne Lawes: Neuer had Popery so great a foyle giuen it by it selfe. It therefore grieueth me that so rare a worke should bee kept and concealed from the eyes of my English brethren: I haue made the translation as iust to the Authors meaning as I could. And if I haue any time added any words for explanation, I haue marked it thus " in the margeant. Farewell Christian Reader, and still pray for the full reuelation and confusion of Antichrist, for his time hastens on.

THE

A Table of ſecrets diſcouered, and points handled in this Booke.

CHAP. 1.

Exceptions againſt Sixtus 5. *and his ſucceſſors.*

1 THere is not nor hath been any true Pope in the Romane Church ſince the death of *Gregory* the 13. that is for theſe 30. yeeres and more. 1

2 *Sixtus Quintus* did clime into the Papacy by foule Symony, proued by promiſe and couenant vnder his hand. 2

3 By the Canon Law he that enters by Symony is no Pope. 3

4 *Sixtus* his Symony was notorious, for it was complained on to *Philip* the ſecond, King of *Spaine*, who thereupon, and ſeeing *Sixtus* his ſimoniacall couenant vnder his hand, ſent to Rome, and ſummoned him to a Councell, to anſwere for himſelfe. 5

5 *Sixtus* ſo ſummoned, fell ſicke and dyed, or elſe tooke poyſon. 6

6 The Spaniſh King did the Pope no wrong in thus doing. 6

7 The Cardinals made by *Sixtus* were no Cardinals. 8

8 The Popes inſuing were all choſen by thoſe Cardinals, and conſequently were no Popes. Becauſe 8

9 By the Canon Law none but Cardinals can chuſe the Pope. 9

10 The like Cardinals choſen by the like Popes to *Sixtus*, or not ſo ill, were iudged no Cardinals by former preſidents. 10

11 That it helpes them not in the law, that in common reputation they were held and taken for Cardinals. 11

12 The better ſort of them in Rome knew all this, and ſpake of it in ſecret. 14

13 Queſtion made in Spaine whether *Clement* the 8. was true Pope, and bookes written that he was not. 15

14 *Clement* the 8. his Election void for that auother was canonically and lawfully choſen before him. 15

15 How foulely and corruptly matters are carried in the Conclaue. 16

16 It is prooued out of the Canon Law that the Election of Cardinall *Sanseuerina*, who was chosen before *Clement*, was good in law. 17

17 How *Iohn* the 23. getting all the Cardinals to referre the election to him alone, chose himselfe Pope. 20

18 *Clement* ought by the Law much rather to haue beene put out of the Papacy then *Iohn* the 23. 20

19 *Clement* the 8. no lawfull Pope in 2. respects. 21

20 *Paul* the 5. no lawfull Pope, for that another was lawfully and canonically elected before him. 21

21 How Cardinall *Baronius* disturbed that election. 22

22 What obscene and filthy talkers the Cardinals be. 22

23 Matters done secretly in the Conclaue, are so kept for a time, but at last are knowne at last abroad, and that by 2. meanes.

1. By the Cardinals themselues, telling their priuate friends and fauorites.

2 By their seruants who write all things, and after for mony giue out Copies. 23

CHAP. 2.

Of the present Popes Symonies.

24 PRooфes that the Pope is no Lord of all the World, and may be guilty of Symony. 24

25 How the Councell of *Basil* depriued *Eugenius* the 4. partly for that crime, and the Councels decree against him heere set downe. 26

26 The horrible and vnheard of Symonies of *Paul* the present Pope. 26

27 A strange tricke of the now Pope how to sell all his liuings at a horrible rate. 27

28 All liuings whereof he is or can be made capable, hee giues to his Nephew (or sonne) Cardinall *Borghesi*; such as hee cannot haue are sold, as afore, to his benefit. 27

29. How

29 How the preſent Pope deludes the Councell of *Trent*, and by ſhifts ſeekes ſtarting holes, thereby to practiſe the Symonies that are by the Councell forbidden. 28

30 With what huge and monſtrous penſions to ſome of his Minions, the Pope chargeth euery good liuing in *Italy*. 29

31 He hath bought as much land for young *Borbeſi* as coſt him ſixteene hundred thouſand Scutes. 29

32 He hath built him a Palace bearing his name that coſt him three hundred thouſand. 29

33 He hath enriched him with moueables worth 600000. 29

Thus he hath beſtowed of one Nephew fiue and twenty hundred thouſand Scutes, and all gotten out of Church liuings.

34 The *Borgheſies*, that is the preſent Popes Kindred, were but poore, and many of them Bankerouts when this man was made Pope, and now one Nephew of his is worth millions. 30

35 The Author names the ſecret Regiſters, where true notice of all theſe forenamed particulars may be had. 30

36 He ſhewes that many Spaniards are able to proue this if they be called to it. 31

37 That againſt a Synonimicall Pope, a generall Councell ought to be called, as againſt an Heretike. 31

38 The Symony and other irreligiouſneſſe in the Pope, kils all deuotion, and extinguiſheth godlineſſe in the Laity. 32

CHAP. 3.

Of other enormious practiſes of the preſent Pope.

39 THat when a Pope by his notorious crimes ſcandalizeth the Church, a Councell is to be called againſt him. 32

40 That when the chiefe members of the Church are ſcandalized, though of the Laity, the whole Church is truely ſaid to be ſcandalized. 33

41 A Councell hath power to correct and order the Pope, and if neede be to depose him. 34

42 The State of Venice made a Law that the Clergy should haue no more temporall Land, and should restore some of that they had. 34

43 They call Clergy men to their temporall Courts. 35

44 They professe they haue power ouer the Clergy also. 35

45 They lay them in prison if their faults require it. 35

46 They command them to absolue Penitents, and in some cases to discouer some confessions. 35

47 They restrain the power of the Popes ecclesiastical courts. 35

48 They professe they haue this power in all their Dominions, and that imdiately from God. 35

49 This Pope interdicted them, and called in the King of *Spaine* to helpe against them, but soone after durst not stand to it, but was faine to absolue from them, and pay their charges. 36

50 They of *Millaine* and *Florence* cause their Clergy to pay to publike workes. 36

51 They admit no Bull nor Breue from Rome, vnlesse first examined and allowed by their owne authority. 36

52 Those of *Luca* beate away their Bishop, and had hanged his Vicar generall, if he had not fled for standing for the Pope against their Priuiledges. 36

53 They made their Clergy aske forgiuenes of the Senate. 36

54 In Italy few feare or care for the Popes Excommunication, no not the great Thunderbolt of *Bulla Cœna*. 36

55 The vice-Roy of *Naples* committed certaine of the Popes owne Clergy to temporall Prisons. 36

56 He threatned the Popes Nuntio to throw him out at the Window, if he did not presently auoid when he came to petition for their deliuerance. 36

57 If Malefactors take sanctuary euer in Churches, hee will draw them out to execution. 37

58 The Eccleasiasticall Courts haue little businesse and lesse power in Italy. 37

59 This

59 This Pope will heare of nothing that may grieue him. 37
60 When Packets come from any Nation, or any Nuntio, Cardinal *Borgese* first opens them and lets him know what he thinkes will not offend him, but no more. 37

By these eighteene Articles last past, let the wise Reader obserue how the Popes power obserue power decayes in Italy.

61 The Pope for this sluggishnes and neglect of the Church, ought to be reformed or deposed by a Councell. 38
62 *Sixtus* the 5. besides his expences, debts paid, and great workes done, laid vp yeerely ten hundred thousand Scutes. 39
63 The monthly expenses of the Popes Palace haue vsually beene 50000. Scutes. 39
64 But such is the base couetousnesse of this *Paul* to enrich his Kindred, that he hath brought it downe to 5000. 39
65 The Emperour and Christian Princes may and ought to call the Pope to account what is done with the Treasure of the Church. 39
66 This Pope giues leaue to Bishops to morgage the profits of their Bishoprickes for many yeeres together. 40
67 And when his fauorites haue so morgaged them, he giues them others, and they leaue those to others who haue the titles without reuenue. 40
68 He gaue leaue to Cardinall *Montalto* to morgage the reuenues of three Abbies, a thing so monstrous as it was neuer done in the worst times before. 41
69 Hee punisheth no crimes of his Clergy nor Cardinalls though neuer so foule. 41
70 By so doing he makes himselfe subiect to be cald in question by a Councell. 41
71 He suffers 2. Cardinals to lye continually with their owne brothers wiues. 42
72 And one to practise Sodomy, and to keepe boyes for his abominable buggery. 42
73 A Cardinall now in the Roman Church, such a shameless

74 Hee made 2. boyes that way abused to bee burnt in the backe, but said nothing to the Agents or Doers who abused them in that abominable kind, which by the Law are farre the greater. 42

75 No iustice practised in this Court against any fault that hurts not himselfe, nor hinders his profite. 42

76 He neuer called in question her that poysoned his brother, because his Nephew *Borgheſi* had his hand in it. 42

77 The Author proues that by these his courses and conueniences he ought to answere before the Councell. 43

78 The Pope is not owner of the riches, nor Lord of liuings in the world, but onely the Steward. 44

79 And therefore he may not giue them to his carnall Kindred, nor otherwise at his pleasure. 44

80 All liuings without cure hee giues to his Nephew *Borgheſi*. 44

81 None gets any liuings in the Popes gift, but from or by yong *Borgheſi*. 45

82 Cardinall *Borgheſi* hath 250000. Scutes a yeere of Church liuings. *anno* 1612. 45

83 To other Cardinals he giues few liuings, and those little, if any great, he loades them with a good pension to *Borgheſi*. 45

84 Hee lets him take great Bishoprickes, and when greater fall to resigne the former, reseruing the greater part to himselfe. 45

85 Most of the Cardinals in the Court are but factors, or fauorites to Cardinall *Borgheſi*. 45

86 It is a rule with this Pope, and one of his pollices to keepe all the Cardinals he makes, rather poore then rich. 45

87 No liuing nor worthy reward is giuen in Rome to learning or learned men, but all for by respects. 46

88 The shamefull ignorance and illiterature of such as are ordinarily preferred at Rome. 46

89 The Author that for these causes also hee hath made himselfe subiect to a generall Councell. 47

90 There ought to be but 24. Cardinals in the Roman Church by the decree of the Councell of *Basil.* 56

91 And those ought to be taken out of all Nations, and of the learnedest, wisest, and worthiest men. 57

92 If vnworthy men be made Cardinals, the Church is wronged, and it is cause sufficient to call a Councell. 57

93 If the Pope when neede is, refuseth to call a Councell, hee is therefore to be suspected in his Religion. 57

94 This Pope makes Cardinals of most base and vnworthy men. 57

As 1. Such as haue no learning.

2. Such as haue no wisedome, nor care of the publike.

3. Such as be poore and will be content.

4. Young men for the most part.

5. And all these must come in by *Borgheſi*: that hereby hee may haue him Pope after himselfe. 57

95 Instance in many particulars, what base vnworthy, vnlearned Cardinals this Pope hath made 58

96 He makes Cardinals of Organists and Sollicitors: and one whose father or place of birth are not knowne, reade it and marke it well. 59

97 The notable plots of this Pope to make his Nephew (or his Bastard) *Borgheſi*, Pope after himselfe. 60

CHAP. 4.

How a Councell is now to be called.

98 VVHen the Pope and Cardinals be questioned it belongs not to them but to the Emperour to call a Councell. 62

99 The Emperour is to see that the Pope hurt not the Church nor Christian faith. 62

100 He is a great part of your whole Councell, and hath power to be there in his owne right. 63

101 That in ancient times the calling of Councels belonged onely to the Emperour. 64

102 A Councell may be a lawfull Councell without the Pope or his authority. 65

103 A generall Councell hath his authority immediatly from Christ. 66

104 A generall Councell is of force enough though it be neither called nor confirmed by the Pope. 66

THE

TO THE RIGHT HONOVRABLE THE highly honoured and much loued *George* Lord Marqueſſe of Buckingham, &c. all true honour and happineſſe.

RIGHT HONOVRABLE

AS this booke in Latine was ſent to his Maieſtie from one vnknowne to vs: ſo is the Engliſh ſent your Lordſhip from one not much knowne to you: He left it dying as a Legacy to his Maieſtie, I yet aliue ſend it as a liuing and laſting teſtimony of my loue and duty to your Lordſhip: and ſeeing the Latine was directed to his Maieſtie, my hope is, his Highnes will neither hold it preſumption in your Lordſhip, nor indiſcretion in mee, that the Engliſh bee made yours. And indeed to whom ſhould ſuch a booke be ſent that ſo highly concernes religion, but to the 2. high Patrons and protectors of religion, his Maieſtie next vnder God, and you next vnder him and his. Accept right Honourable this *New Man* for a New-yeares guift, your Lordſhip may haue many richer in ſhew, but few in ſubſtance. Reade it (right noble Lord) and blame me if you hold not your time and labor well beſtowed. Two qualities, or rather a quantity and a quality commend it to your reading. It is ſhort and ſweete, for though it ſpeake of filthy men,

and foule matters (an vnſauoury ſubiect) yet was it euer welcome and well pleaſing to men of vnderſtanding, to ſee hypocrites vnmasked, & their wicked enemies diſcouered & deſcribed in their own colours who bee your Lordſhips enemies but his Maieſties: and who are his but Gods, and who Gods enemies, and his and yours, but the diuell, the Turke, the Pope and the Ieſuite. Now that Man of ſin the Pope, and his Throne that chaire of peſtilence and his traine and curſed court of Rome, the ancient enemie of this Crowne and Kingdome, and Religion: were neuer ſo laid out to the worlds view in ſo full a meaſure, in ſo perfect colors, and in ſo litle a roome as in this booke. And ſurely if your Lordſhip would hunt with in doores this hard weather here is trim & true ſport indeede: for neuer were the Romiſh wolues & Foxes ſo hunted by any of our wiſeſt and moſt earneſt hunters as here by this *Italian*, who was therfore better acquainted with their lurking holes and craftie euaſions: Good ſport it muſt needs bee to ſee theſe great blood-ſuckers of the Chriſtian world ferretted out ſo finely and ſo hotly purſued, and that by one of their owne blood-hounds, who beeing well inured to their ſent, knew how to trace and follow them by the foote: who hee was that wrote it I know not, nor can I gueſſe, if it were not that famous Doctor Marta: but your Lordſhip may learne this ſooner then I. Seeing vndoubtedly his Maieſtie knowes it, and as wee all good profeſſors of true Religion haue cauſe to bleſſe God for ſending his Maieſtie the booke, and humbly to thanke his goodnes who made that common that was his owne, ſo it beſeemes vs not to ſearch into that his Maieſtie pleaſeth

to reſerue as a ſecret: I therfore turne to my owne taske and do commend to your Lordſhips iudgment theſe points, when you haue read this booke.

Firſt, whether all the world as well as wee haue not cauſe to acknowledge his Maieſtie a true defender of the faith and a zealous maintainer of his Religion, who publiſhed this Booke to the wounding of popery euen at the heart, it being in his power to haue ſuppreſt it, and yet the world could neuer haue charged him with it.

Secondly, whether thay can be found ſincere, & faithfull Subiects, or true friends to his Maieſty, that ſpeake, or thinke, or conceaue, or hope otherwiſe of him.

Thirdly, that beeing true that is in the firſt chapter of this booke auerred and maintayned, whether it bee not in the power of his Maieſty, and the King of Spaine, to ouerthrowe the Pope, and popery, when it ſhall pleaſe God they come together.

Fourthly, if this booke be true (as it appeares to be ſeeing all theſe nine yeares it was neuer diſproued) whether theſe bee not wilfully blinded that will ſtill bee papiſts.

Noble Lord, as the world thanked his Maieſty for the booke in latine, ſo is it my deſier your nation and all his Maieſties dominions, may thanke your Lordſhip for the ſame in engliſh, and receiue it from your Honorable hands as a pledge of that ſincere loue you beare to true Religion: wherof as I was lately a willing wittnes, ſo ſhall I not ſpare to ſpeake and ſpred it: and that God may confirme in you that his holy and good worke, there neuer ſhall want the dayly and deuout prayers, together with the beſt ſeruice of your Lordſhips humble and faithfull ſeruant,

W. Crashaw.

To the Reader.

GOod Reader be pleased further to obserue for thy better vnderstanding, that this booke being sent his Maiesty in or about 1611. was in 1612. published by his Maiesties direction and authority, and was translated in 1616. and then allowed, & had then come forth in English, but that the Copy, by what accidēt I know not, nor by whose meanes was purloyned, and little better then lost for diuers yeeres: and though now there be another Pope, yet the exceptions against the Papacy and Popish Religion are still the same: Rmember this as thou readest, and euer remember me to God in thy deuotions;

Thy Brother, desirous to be
a helper of thy faith,

W. C.

THE NEVV MAN.

By the helpe of the holy Ghoſt.

CAAP. I.

Of the firſt cauſe of calling a generall Councell, for that ſince Gregory *the thirteenth there hath bin no true Pope: but all that haue ſucceeded him haue bene meere intruders into the Papacy.*

IF euer the ſtate of the vniuerſall Church was in perturbation, or euer needed commiſeration, then certainly it is in theſe our daies in a moſt deplorable caſe: for now the Church wants a true Paſtor. Intruders, *no better then either Wolues or Theeues*, breake in and make a prey of the Papall place called dignity, and the Prelates with all the Clergy, ſet their hearts, and all their care on their owne profit and their priuate ends, further they looke not, further they care not, Religion and the common cauſe is no more at all by them regarded then it ſerues their owne turne.

2 For who of them can bee ſo ignorant, yea or once make doubt that *Sixtus Quintus* was choſen Pope vnlawfully, and entred by foule Simo-

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To the Reader.

GOod Reader be pleased further to obserue for thy better vnderstanding, that this booke being sent his Maiesty in or about 1611. was in 1612. published by his Maiesties direction and authority, and was translated in 1616. and then allowed, & had then come forth in English, but that the Copy, by what accident I know not, nor by whose meanes was purloyned, and little better then lost for diuers yeeres: and though now there be another Pope, yet the exceptions against the Papacy and Popish Religion are still the same: Rmember this as thou readest, and euer remember me to God in thy deuotions;

Thy Brother, desirous to be
a helper of thy faith,

W. C.

THE NEVV MAN.

By the helpe of the holy Ghoſt.

CAAP. I.

Of the firſt cauſe of calling a generall Councell, for that ſince Gregory *the thirteenth there hath bin no true Pope: but all that haue ſucceeded him haue bene meere intruders into the Papacy.*

IF euer the ſtate of the vniuerſall Church was in perturbation, or euer needed commiſeration, then certainly it is in theſe our daies in a moſt deplorable caſe: for now the Church wants a true Paſtor. Intruders, *no better then either Wolues or Theeues*, breake in and make a prey of the Papall place called dignity, and the Prelates with all the Clergy, ſet their hearts, and all their care on their owne profit and their priuate ends, further they looke not, further they care not, Religion and the common cauſe is no more at all by them regarded then it ſerues their owne turne.

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ny. And if he be, then let them know from mee
» (which I ſpeake not to informe them that know
it, well enough already, if they liſt to acknow-
ledge it, but to let all the Chriſtian world know
that which millions of mē neuer miſtruſted) that
when *Gregory* was deceaſed and the Cardinals
aſſēbled in the *Conclaue* for the election of a new
Pope, he being then the Cardinall of *Montalto*,
that himſelfe might be choſen: plainly bought of
Aloiſius Cardinalis Eſtenſis. *Aloiſius* the great Cardinall of Aſte his voyce, &
the voyces of all the Cardinals depending of
him, which were knowne to bee farre the greater
number, and able to carry it with whomſoeuer
they went. And in conſideration thereof he pro-
miſed him not in word alone, but open writing,
ſubſcribed and ratified vnder his owne hand, that
whereas there was a principall Prelate, one *Hie-
ronimus Matheus* whoſe poſſibility was great to
be a Cardinall, but was then at no little oddes
with Cardinall *Aloiſius*: *Sixtus*, I ſay, ſolemnely
promiſed him that during his raigne he would
neuer make him Cardinall, if hee by his owne
voyce and his complices would make him Pope.
Cardinall *Aloiſius* accepted of the condition, and
ſo the bargaine was concluded; and accordingly
ly he gaue him his voyce, & got all his party and
faction to do the like, and ſo *Sixtus* carryed it
from all competitors and was choſen Pope,
which was ſo openly knowne that *Aloiſius* neuer
made bones in a publicke preſence to ſay that
*Pope Sixtus was his creature, and the worke of his
owne hands.*

3 This being true, as alas it is altogether vn-
deniable,

deniable, all that are ſeene in the lawes cannot but know it is the very caſe in the Bull or Decree of Pope *Iulius* the ſecond, by him ſet out againſt Symoniacall elections of the Pope, which yet is in freſh memory, and hath bene obſerued with great reſpect, till theſe ſhameleſſe times of late. Inſomuch as all the Cardinals at their very entrance into the Conclaue muſt firſt of all, by ſolemne oath, ſweare that they will ſeriouſly and faithfully take vpon them the preciſe obſeruation of the ſayd Bull. And for ſatisfaction to the world, how horribly *Sixtus Quintus* tranſgreſſed in this point, it ſhall not bee amiſſe to ſet downe the very words of the Conſtitution it ſelfe, as much as concernes the matter in queſtion.

The Bull of Pope Iulius *the ſecond touching the election of the Popes, and againſt Symony in the ſaid Elections.*

If it ſhall hereafter fall out through the diuels malice the enemy of mankinde, or the ambition or couetouſneſſe of the chuſers, that when we or any our ſucceſſours ſhall by Gods appointment be remoued from the gouernment of the Church or earth: the election of the new Pope bee made and done, either by him that is ſo choſen, or by any other, or more of the Colledge of Cardinals by the hereſie of Simoniacall compact giuing, promiſing, or receiuing any goods of any kinde, or lands, or Caſtles, or Offices, or Benefices, or by making of any other promiſe or obligation of what kinde ſoeuer; whether they do it by themſelues or by any other; by a few or by many: and whether that election bee accompliſhed by the

voyces of two parts of the Cardinals diuided in three, or by the vniforme consent and voyces of them all, whether it bee done by way of assumption or adoration, yea though there be no Scripture made at all.

We determine, desire and declare,

That not onely the election or assumption so made shall be from that very moment voyde and of none effect. And no power or faculty shall accrew thereby to him so thrust in, of any administration, gouernment, or iurisdiction in matters spirituall or temporall. But also that it shall and may bee lawfull to any Cardinall present at the same election, to except against the sayd Intruder, and to call him into question for the crime of Simony as of a true and vndoubted heresie, that so being an heretike hee may bee of all men acounted and held as no Pope nor Bishop of Rome, &c. Neither shall such Simoniacall election be any time afterwards made good, by any subsequent inthronization, coronation, no nor by any adoration made, or obedience and homage done or sworne to him by the Cardinals; no not though it be done by the whole Colledge, nor by any action that may or can be done, nor by any continuance or course of time. But it shall and may be lawfull to all and euery Cardinall, yea euen to those that were present and consenting to the sayd Simoniacall election or assumption, not onely before, but euen after any such inthronization, Coronation, adoration, homage or obedience done. And not to *them alone, but to the* whole clergy and people of Rome, and to all the sub-

ſubiects of the Roman Church: and to all the Lords, Gouernors, Captaines & Commanders as well of the City and Palace of Saint *Angell* within the City, as of all other Caſtles, Towers, and Fortreſſes; and to all other Miniſters and Officers whatſoeuer to refuſe to yeeld him any Honour, Homage or Obedience, and to reuolt from him ſo choſen and inthronized, and from all obedience to him, and that ſafely and lawfully they may hold, eſteeme, and eſchue him and al fellowſhip with him, as a Magitian, an Ethnick, a Publican, and an arch-Hereticke: And further, wee determine that by the authority hereof it ſhall, and may be lawfull to the Cardinalls, euen thoſe that were preſent at the Simoniacall Election and conſented not thereunto, and to thoſe that ſhall afterwards diſcent and depart from him to appoint forthwith a generall Councel, and to call and ſummon the ſame in ſuch conuenient place as to themſelues ſhall ſeeme expedient, &c.

Thus farre the words of the Popes decree.

4 Now if it be obiected that this decree binds not but where the fact is famous, euident and notorious, and this Simoniacall election of *Sixtus*, if any ſuch were, was carried in ſecret, and ſuppreſt in ſilence: It is anſwered, that contrariwiſe that this fact of *Sixtus* his Simoniacall election, was made publike and notorious, for marke what followed. *Sixtus* after his election violated his faith, and broke his promiſe made to the Cardinall of *Aſte*, & contrary therunto made *Hieronimus Matham* Cardinal, which the Cardinal of *Aſte* tooke

ſo to heart, that for which anger and griefe at the Popes treacherous vnfaithfulneſſe, and his enemies aduancement he fel deadly ſicke, but before hee dyed, to recompence the new and ill made Pope as he hath deſerued, he ſent the agreement and couenant he had of *Sixtus* to the Catholicke King, *Philip* the ſecond, euen the very originall it ſelfe ſigned with *Sixtus* his owne hands, who hereupon in the yeere 1589, ſent the Duke of Sneſſe to Rome as his Orator & Ambaſſador extraordinary to giue *Sixtus* notice hereof, & to intimate to him the preſēt neceſſity of *a generall Counſell*, for the declaration of his election to be Simoniacall, and to require the Lords, the Cardinals, ſuch as were created by his Predeceſſors, & to other the Prelates and Clergy to whom it belongs to appeare in the ſaid Counſell, to bee holden in *Spaine* at the City of *Siuill* in *Andalouzia*.

5 Now howſoeuer this buſineſſe thus began could not proceede to full effect, for that *Sixtus* vpon this intimation made to him, knowing he ſhould bee condemned by his owne hand, for plaine feare and deſperation fell ſicke and dyed (hauing only that way left by dying to preuent depriving) yet by his beginning his Simoniacall Couenant and Election heereupon enſuing, was called into queſtion, or as the Lawyers ſay, drawn into iudgement and made notorious. And admit the King of Spaine did more then hee ought in giuing him this intimation, and calling a Councell yet holies it not, for a fact is ſaid to bee made publicke and notorious if once it be drawn

into

into Iudgement, though the beginning of the processe or proceeding therein bee so far vnlawfull, as that it be a nullity in law, for it suffiseth this purpose if it be called into publike question, whether directly or indirectly, whether by a lawfull or vnlawfull Iudge it matters not.

6 But as this case stands its worse on *Sixtus* his side, for we are to know the Catholicke King did herein no more but right, for by the expresse law diuine all Catholickes may lawfully rise against an Hereticall Pope, and that law of God is related in the body of the Canon Law. And in the case of Simoniacall election, that secular Princes hauing power to call a councell, it is the plaine text of *Isidore* that ancient father, which also is related in the Canon Law, and there the glosse writes the very speciall and particular case of Symony. And that the power of calling a Councel when the Cardinals refuse or neglect so to do, is immediatly, directly & lawfully deuolued vpõ the secular Princes, is a case so plain & common amongst all the learned, that he must needes bee a stranger to the Law that knowes it not: *Cataldus* proues it plaine, so doth *Petrus de Monte*, and Cardinall *Iacobatius* in his Treatise of Councels. Many more Authors might bee alledged to the same purpose, but the credit of these is such as these shall suffise, and in those it is not barely or by the way affirmed, but the case is agreed and resolued.

In C. Si audieris 23. q. 5 Isidorus de summo bono lib. 3. relatus in cap. Principes seculi 22. q 5. & ibi gloss. in verbo intra ecclesiam. Cataldus de bon. com. pag. in tract. de potestate papæ anno 63. Petrus de Mõte in sua Monarchia conciliorum cap de generalis concilij celebratione per totum. Card. Iaco. in tract. conciliorum lib. 3. art. 1. In §. liceat in fine.

7 To proceede therfore, *Sixtus* by the vertue of the foresaid constitution, which is inserted into the body of the Canon Law, being a Magi-

tian,

tian, an Ethnick, an arch-Hereticke, could not therefore, nor had any power in him to create Cardinals, for as much as hee was *ipso facto*, despoiled and depriued of all iurisdiction, power and faculty spirituall and temporall, and all vse and exercise of any such iurisdiction spirituall or temporall, is by the law so farre forbidden him, that all and euery act and fact by him done in that kind, are absolute nullities as done by him that hath no power at all to do them.

8 Now from this ground thus laid, it followeth by infallible inference that all the Popes since *Sixtus* the fifth were intruders, and not one "of them a true Pope: for after his dearh (harken "you Christian Princes, who liuing farre from "Rome doe little know how matters are carried "there, and know the truth which none can tell "you, but one that liued there and saw it with his "owne eyes) after the death of *Sixtus* the fifth. Cardinall *Montalto* his Nephew entring the conclaue with forty voyces in this faction, by the strength wherof was elected *Vrbanus* the seuenth, who liuing but a few dayes, by the same meanes was chosen *Gregory* the fourteenth into his place, who continued but ten moneths, after whom by the same voyces entred *Innocentius* the eleuenth, "who held the papacy but 2. moneths (as though "God by the death of foure Popes in one yeere "would let the Colledge of Cardinalls and Clergy of Rome, and the whole Christan would see "and know that something went wrong in the "Church, and that in a high degree, but our happinesse was not such to haue it discouered. You

This was Sixtus his nephew or son, whom he made Cardinall being a Boy.

that

that were farre off could not know the truth, and wee that were present had not our eyes open to behold it, some blinded with one carnall affection, some with another.) All these thus dead, at last was chosen *Clement* the eight by the same voyces, who by the iudgement and prouision of God continued this intrusion and vsurpation 13. yeeres: Now that none of these was nor could bee true Pope; I thus demonstrate.

9 Vnto the election of all these concurred the voyces of those Cardinals that were created by *Sixtus* the fifth, for although *Montalto* his Nephew had not full so many voyces on his side, and in his dispose as by whom he might *inclusiuely* conclude an election, yet may wee say that *exclusiuely* he made and carried the election, seeing he had so great a part, that without them no election could possibly be made, nor consequently any but by him: for that exclusiue part which he had being the greater, must of necessity draw vnto it the rest of the Electors who being made before were true Cardinals, and had true & good voyces, but were fewer in number, and so the whole power of Election seemed to consist in his will, and the whole number of Electors may bee said to bee at his dispose: whereupon it followeth ineuitably that all those elections do totally fall away, & are plaine nullities: for further proofe wherof let your Maiesty and all the christian world be pleased to obserue that by the constitutiõ of *Pius* the 4. touching the reformatiõ

of the conclaue in the election of Popes, the power of chuſing, the Pope is granted onely to the Colledge of Cardinalls: And howſoeuer in the end of the ſaid conſtitution, he enable them to giue voyces, though all or any of them ſhould be excommunicated, ſo as no exception ſhall euer be admitted againſt any ſuch election, for that any or all of the Electors by whoſe voyce it is carried, did then lie vnder the cenſure of excommunication. Yet bee you aſſured of this, that hee preſuppoſeth they ſhall bee true and lawfull Cardinals, and not meere ſhadowes and intruders into the Cardinalſhip, as all thoſe bee who were created by him that had no place nor power to make them. But the Cardinalls who made all thoſe elections, were ſuch, being made as afore is ſhewed by *Sixtus* the fifth, who was no lawfull Pope, and therefore were no Cardinals indeede and truth, and conſequently the elections by them made, were no elections but abſolute nullities in the law to all intents and purpoſes: for there is great difference betwixt true Cardinals excommunicated, and no Cardinals, & the conſtitution beforenamed enables Cardinals excommunicated to giue voyces, and to make lawfull elections, but it doth not, nor cannot enable them that are no Cardinals at all.

10 Now that ſuch titular Cardinals as were created by him that is no true Pope, are no true Carnals, and conſequently can giue no voyce, nor make any lawfull or good election, appeares euidently enough by the continuall preſidents of former times in the Roman Church: for when

Gre-

Gregory the 12. who was indeed a true and lawful Pope, had renounced the Popedome in the *councel of Constance*, for parting of the Schisme, & setling the peace of the Church, & afterward repenting by ill aduice what he had done, reuoked his resignation, would be Pope still, and accordingly created diuerse Cardinals: It was then concluded & resolued by the whole Church after great deliberatiõ, that he could make none, & that all so by him created were no Cardinals, and so were held, iudged, and reputed (as appeares in the publicke words of the said Councel) & the reason is giuen for that they were created by him who then was no Pope, and consequently had no power in him to create Cardinals. And in like case he that was called during the same Schisme. *Benedict* the 13. sitting at *Auinion*, created diuerse Cardinals, but forasmuch as he was iudged no true Pope but an Antipope, & an Vsurper, therefore all by him created were no Cardinals, & so were held & reputed to their dying day. And to conclude, when after the death of *Alexander* the 5. He that was called *Iohn* the 23. in the time of that long and miserable Schisme, intruded himselfe vnlawfully into the papacy at Baronia where hee then was Legate, and so long Pope, created diuers Cardinals, they were all reputed, and iudged to bee no Cardinals in the *Councell of Constance*, and a new and true Pope was then chosen, namely *Martin* the fifth, not by the said Cardinals, because they had no power but by the whole Councell: from all which and more that might bee produced of the like nature, it euidently

followeth that the Cardinals ſo called, created by *Sixtus* the 5. being no true Pope are no Cardinals & conſequently cannot make election of a Pope, and therefore all ſo choſen were no Popes, but meere Intruders, Idols and Vſurpers.

11 And if it be obiected that thoſe Cardinals ſo made by *Sixtus* the fifth, were after his death publikely held and reputed true Cardinals by common eſtimation, and therefore their acts & doings cannot, nor may not, by the rule of the ciuill Law be cald in queſtion. By force of which rule the Lawyers proue that publike deeds which concerne the generall good done by them that had no lawfull power are to bee tollerated, and not to be further queſtioned: It will do no good in this caſe, for that rule of the Law was made touching matters temporall, but it holds not in matters Eccleſiaſticall, wher in no errour may be admitted to take place, though neuer ſo cõmon & vniuerſall. Be it neuer ſo common & vniuerſally receiued, yet can it not therfore in matters ſpirituall make good the facts of any perſon, doing that which by the law he was not inabled to doe, as appeares by the gloſſe in the Canon law, which alſo produceth diuers great Doctors for the ſame. Nay contrariwiſe in matters ſpirituall, the truth preuailes ouer any opinion though neuer ſo common, as alſo appeares in the ſame gloſſe, agreeable to which gloſſe the great Doctors of the Canon law, *Archidiaconus*, *Geminianus*, *Francus*, *Anchoranus*, & others do teach with one conſent: And one other of them being conſulted in a caſe that reacheth home to this point, gaue this reſolutiõ, that one admitted into holy orders by

Per regulam l. Barbarius F. de officio. pertoris communes error facit Ius.

Gloſſ. in c vnico. in ver. approbatis de voto l. 6. que allegat Tauerdũ & Bar. Brixienſem in ſuis queſtionibus. Archiac. ſuper verbum ſuſceptionem. Io. Andr. Geminianus Philip Franchus & Ancharanus ibidem. Federicus de ſeneb. concl. 30.

by one that in common eſtimation was held a Biſhop, but indeed was none, was thereby not made vnfit to contract Matrimony, and therefore that the marriage contracted by ſuch a one, was not diſſolued, for that hee was not in holy Orders although he that ordained him was holden of all men to be a Biſhop. And the very ſame opinion is holden in the Gloſſe, where it is ſayd, that in matters ſpirituall, wee muſt ſtand to the truth, not to preſumption or common opinion, yea though that opinion were rayſed vpon a ſentence or iudgement. And of the ſame minde is *Innocentius* himſelfe a Pope and a great Lawyer, and *Baldus* and *Barbarius* who teacheth expreſly and fully to this poynt, that the facts done by one that is a ſecret Simoniſt (that is guilty of Simony indeed, but not knowne nor held to be ſo) are of force and validitie if they bee temporall, but not ſo if ſpirituall, becauſe ſaith he, *no man giues to another what he hath not himſelfe.* He therefore being by his Simony, himſelfe out of the Church, cannot haue or exerciſe any iuriſdiction in the Church. Whereupon it followeth that much leſſe can they that are not true Cardinals haue any voyces in the Popes election, being a matter ſpirituall, and that of ſo high and excellent a degree.

Gloſſ. in §. his ita reſpondetur. l. 45. q 9. in fine Gloſſ.

Innocent. in c. init. col. 2. de elect. Baldus in l. 2. in princip c. de ſentent. & in repet. d. l. Barbarius col. 2.

12 Moreouer, admitting the foreſayd rule in the very words of it, yet to make it a *common Error* there is alſo required the probable and likely ignorance of the world, for if there be ſuſpition or likelyhood that they know, or may know the contrary, then is not properly a common or

vniuerſall error. For error muſt preſuppoſe ignorance which is the mother of error: and ſo do all interpreters vpon that place, take and expound it. But for this caſe of *Sixtus*, the people of Rome were ſo farre from being probably ignorant, that rather they certainely were perſwaded of the truth: for who can be ſaid to be probably ignorāt nay who could not but well enough know that *Sixtus* could not create a Cardinall, when the *Catholicke King* publiſhed, and as it were proclaymed in Rome that a generall Councell was to be called againſt him, as an intruder into the Papacy, and ſent a great perſon his publicke Embaſſadour to the whole Court of Rome for that purpoſe, and the matter was debated more or leſſe in euery Congregation, Conſiſtory, and Court of Iuſtice. Now when the people and ſubiects of the Pope haue not a ſuſpition onely, but ſuch particular knowledge that he was no true Pope, then it is a cleare caſe that all his deeds and actions ſpirituall are of no force nor efficacy, not onely in the law and in the exterior Court, but not ſo much as in the Court of Conſcience, nor in matters meerly of the ſoule, as a famous *French* Lawyer, in his deciſions proueth at large. And if it be ſayd that the people of Rome talked not openly, nor ſeemed to take notice of any ſuch matter: the anſwer is eaſie, that the queſtion is not what they talked of, but what they knew, & wiſe men know many things they ſpeake not of, and the reaſon is ready, for thought is free, but ſo is not ſpeech, the truth whereof was well ſeene in Rome, for you may bee ſure they that knew ſo much

Franciſc. Max. deciſ. delphinat. 1184. in fin part. 1.

much would be free enough to thinke, & (it may be) ſpared not to ſpeake alſo in ſecret, but no maruell if no man openly talked of it, when it concerned no leſſe then his life, for he had beene ſure to be found guilty of high treaſon, who had but once touchat on this ſtring. But that this ſilence proceeded not of ignorance, but from feare, appeares in that when afterward *Clement* the 8. beeing made by thoſe Cardinals whom *Sixtus* the 5. created, did reconcile and abſolue *Henry* then the king of *Nauarre*, that ſo being diſcharged of the excommunication, he might bee capable of the kingdome of *France*, there were not a few in *Spaine* where they are not the Popes ſubiects (and therefore dare ſpeake the truth of him without feare of treaſon) who openly vndertooke the defence of this concluſion, that *Clement was not lawfully elected Pope*: yea & wrote large volumes to proue that he had no power, ſo to abſolue and diſcharge that king of *Nauarre* becauſe hee that is not true Pope but intrudes himſelfe into the Papacy hath not the power of binding and looſing, euen as a ſentence is ſayd by the law not to binde, that is giuen by him that is not the Iudge. C. ordinationis. 9. q. 1. de ſchiſmaticis.

13 And as for the election of Pope *Clement* it is voyde alſo in another reſpect, and an abſolute nullitie, for two parts of the Cardinals concurd with one conſent vpon another: namely *Cardinal Sen-ſeuerine*: for they called him by name, they tooke and led him to the Chappell of Saint *Paul* the place where they performe their ceremony of adoration to the new elect Pope: here they

make

make him sit in the Popes chayre of estate, and by publicke scrutiny they proclayme him Pope: and that this makes a full and legall election of a Pope, the text of the law expressely teacheth in these words.

C. licet de vitanda de electione.

He who shall be elected and receiued in two parts of the Cardinals, with vniforme consent, let him be held and receiued of the whole and vniuersall Church as true Pope, without all question or contradiction.

But the Cardinall *Sanseuerine* was chosen by two parts of the Cardinals with full consent and by them conducted and placed in the Popes seate: therefore he was lawfully chosen Pope, & so ought to haue bene accepted and taken of the whole Church. How then came it to passe hee was not so? Let your Maiestie bee pleased to heare with patience and I will discouer vnto you how crookedly and corruptly matters are carryed in the Conclaue in these euill dayes. When this was done, and whilst the rest of the Cardinals that were without were exspected (for such is the custome, that when two parts haue made election, the third part which consented not, but could not hinder are exspected to come in to the place, where the new elect is adored by the two parts that chose him, and from whence the election is to be published, that so all being together, the election may bee sayd to bee made by all, without contradiction of any man.) Now whilst the third part were exspected to come in, there came into the chappell Cardinall *Gesualdus* and *Sfortia*, the former whereof was Deane of the

the Colledge of Cardinals, and by a crafty and wicked deuice disturbed the election in truth & in law already made: and thus it was; Cardinall *Gesualdus* cryes alowd; My Lords, let vs number the voyces, to see if two full parts haue consented; whereupon he began to count, not hasting to make an end, but leasurely proceeding with intermissions and delayes, which he did purposely, and to a crafty ende, that Cardinall *Sfortia* might also haue time to play his part, which hee did not fayle to do; for in that meane time he had got two of the Cardinals out of the Chappell who had giuen their voyces, and carryed them with him into another place called *Sala Regia*; & leauing them there, he returned to the rest, and largely layes open to them the rigour and seueritie of *San-seuerina*, for indeede they feared his iustice, as many of them no doubt had good cause, he being an vpright and iust man, and too good it seemes to be Pope ouer a number of such vnworthy cardinals, as most them euen there shewed themselues. For hereupon the greater part of them most perfidiously got thē out of the chappell, and assembling together with the rest, made a new election of the Cardinall *Aldobrandine*, who was called *Clement* the 8. And this is the truth of the businesse.

14 Now that the former election of Cardinall *San seuerina* was good and effectuall in law, it is a cleare case for the voyces that chose him were for number complete and sufficient when they pronounced him for Pope, and set him in the chayre. And as for the ceremonious solem-

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nitie vſed in the elections, that all the cardinals ſitting in their order together with him that is to be choſen, euery one in order ſhall ſay: *I ſuch a one chuſe ſuch a one to be Pope.* And that the Secretary of the *Conclaue* ſhall take the ſcrutiny, and write downe euery mans voyce, it is not an eſſentiall part of the election, nor neceſſarily and eſſentially required to make an election for the expreſſe words of the text, do declare, define and peremptorily pronounce him to bee Pope and head of the vniuerſall church, inſtantly and as ſoone as he is choſen and receiued by two parts of the Cardinals: and he is then by the law ſayd to be receiued or accepted of the Cardinals, when they take him and conuay him to the chappell aforenamed, and make him ſit downe in the Popes ſeate, and he is ſayd to be choſen or elected, when the ſayd two parts declare their conſent and agreement vpon him to be Pope. Now all theſe concurred in & vpon the cardinal *San-ſeuerina*, & when the election is thus done by publike and open denuntiation and aſſumption, there need no ſcrutiners to take the voyces as is cleere by the law. And this is one way of chuſing the Pope, & is called the way of Aſſumption, whereof alſo mention is made in the foreſayd Bull of *Iulius* the ſecond. And by this way which is as ſufficient and effectuall in law as the other was, cardinall *San-ſeuerine* choſen and wanted nothing, required by law to the eſſencee of a true election, but only ſome formality, which by the law is not neceſſary. Nor is it materiall to ſay he wanted inthronization or adoration, or kiſſing of his foot, for

Text. d. c. licet de vitanda.

Abb. in d. c. licet de vitanda Nu. 13. ver. ſed ſi eſt factũ per &c. de elect Bulla Iulij 2. §. ver, etiam per.

for all theſe are but effects and conſequences of a true election, but not eſſentiall to the election, & are appointed to bee done to him that is elected, but do not helpe forward his election: and the election is properly held done and perfected before they bee performed, as any man may ſee in the aforeſayd Bull of *Iulius* the ſecond. Neither is the calling together of all the Cardinals neceſſarily required, for it is expreſly commanded in no law, and as for the text of the canon law, called *Licet de vitanda*, it ſhewes the validitie of the election, as is ſoundly proued by Cardinall *Iacobatius*, who ſhewes that at leaſt a councell is to bee called to declare whether the election bee good or no, and that they may not proceed to the election of another. The election therefore thus made of *Clement* is to bee held a nullitie as being done by decite and fraude, according to the expreſſe text of the law layd downe in theſe word:

Textus in d. c. licet de vitanda Iacobat. Card. in d. tract. de concil. part. 3. art. 4. nu. 154. & ſeq.

In c. in nomine domini. diſt. 23.

But if any ſhall be elected, ordained, or inthronized Pope through ſedition, preſumption, or any ingeny or tricke of wit, contrary to this our ſentence and Synodicall decree pronounced in open counſell: By the authoritie of God and his holy Apoſtles Peter *and* Paul, *we pronounce him ſubiect to the great curſe, and ſeparated by perpetuall Anathema from all ſocietie with Gods Church together with all his authours, factors, and abetters as an Antichriſt, an intruder, and a deſtroyer of the Chriſtian religion, &c.*

And after cardinall *Hoſtienſis* the great Do-

Abb ind. elicet de vitanda nu. 11. ver. exposuit Hostiensis.
Or Iohn th 23 or Constance.

ctor called the Abbot in his Commentaries on the text, expound the word Ingeny to be craft, colluſion and deceit, and ſuch like was the election of *Iohn* the two and twentieth, that was after condemned in the *Councell of Baſil*: for when after the death of *Alexander* the fifth, the Cardinals aſſembled at *Baronia*, and conſulted about the choyſe of a new: Cardinall *Coſſa* who then was Legate there, a man potent and warlike, obtained of the Electors by his greatneſſe that they would commit the whole power of the election to him, which they had no ſooner granted him, but he forthwith elected himſelfe: and the Archbiſhop of *Florence*, *Antoninus* goes about to proue out of the aforeſayd chapter, that the election was good. But foraſmuch as vpon examination of the matter in publike Councell, it was found to bee compaſſed by fraude, and deceitfull trickes, he was therefore depriued by the Councell. Now this ought much more to bee in his caſe, namely that *Clement* ought to haue beene depriued, becauſe here another was truly, lawfully and canonically elected.

Anton Floren. Hiſtor part. 3. tit. 21. c. 24.

The concluſion then is, that *Clement* cannot be called nor held a true Pope, both for that he was choſen by ſuch as had no power to chuſe, as alſo becauſe that choyſe by them made, was wrought by fraude and deceite, and to the iniury of another lawfulsy choſen before, and was therefore voyde, though it had bene done by ſuch as had beene lawfully enabled to make election. For though the law command that no exception be made againſt a Pope once made, how-

Indicto. c. licet de vitanda.

howſoeuer he be choſen, yet that the law meaneth other errors or imperfections in the election, which do but darken the beauty of an election, and not theſe two when other the Electors haue no power, or that it is compaſſed by fraud, which deſtroy the very nature of an election, appeares by another law, by vertue whereof an exceptiõ made againſt ſuch an election is admitted for good, as alſo one of the greateſt commenters vpõ, that former law it ſelf doth euidently proue.

D. cap. in nomine domini. Ab in d. c, licet de vitanda.

15 To proceed. Succeſſiuely *Paul* the fifth that now is, cannot be called nor held the true Pope, ſeeing he alſo was choſen by the ſame Cardinals who were no true Cardinals, and therefore had no power to chuſe. But beſides that, there is alſo another crack and flaw in his election. For when after *Clements* death 61. Cardinals conſulted in the Conclaue, touching one to be his ſucceſſor, at laſt after good and mature deliberation, 44. Cardinals, who make 2. full parts of 61. agreed vpon the Cardinall of *Florence*, and tooke him though ſicke and lying in his bed, and made him be carried into the Chappell of *Sixtus*, that they might inthrone & adore him as Pope, and whilſt according to the cuſtome they expected, the reſt who being ſcarce a third part could not hinder the Election thus already made, the other two parts in the meane time did vſe the *Florentine* Cardinal as Pope, & accordingly demeaned theſelues towards him, ſome exhibited Petitions to him, ſome begged one fauor, ſome another. But ſee how it fel out. Amongſt them that were of the other third part, and were now a comming, were

Cardinall *Baronius*, and with him Cardinal *Iustinian*, and *Montalto*, and euen as they were at the doore of the Chappell where the new elect Pope was with his Electors, *Baronius* cryed out with a loud voice that they all might heare.

In omni verbo miſcet priapum.

What? will you ſhame vs all? will you chuſe ſuch a one Pope as in all his talke, at euery word, ſpeakes baudily and filthily to the great ſcandall and ſhame of all Chriſtians?

And indeede ſuch kind of talke is ſo little regarded in *Lumbardy* (of which Prouince this Cardinall was) that it is the common and ordinary cuſtome in moſt mens mouthes. Vpon which words and other by him clamorouſly bluſtered out, all the 44. Cardinals which had elected him, perfidiouſly forlooke him, whom before they had lawfully choſen, and leauing the poore *Tuſcan* Pope in his bed to wraſtle with his Feauor, went out, & preſently as the plot was laid choſe Cardinal *Borgheſius* by publike acclamation, and carrying him to another Chappell in the Conclaue did there performe to him the vſuall adoration. All which conſidered, and the truth thereof being vnfallible, it followeth for certaine truth that all the reaſons and exceptions formerly made againſt *Clement* are rather ſtronger againſt this *Paul*.

16 Now to conclude, ſeeing all theſe particulars againſt *Sixtus*, *Clement* and *Paul*, and the Cardinals created by *Sixtus* are notorious & known, there needes for their conuiction no more but allegation, for the Law is cleere that in crimes notorious, neither Libell, nor formality of accuſation

sation are necessarily required, especially in the case of such crimes as concerne the publike and generall good to haue them discouered and punished. And it is also cleere, that in such a case a Councell may proceede by way of inquisition, for it suffiseth that that which is notorious bee but alledged and propounded as all Lawyers do teach. And so much the rather for that those things I haue thus declared, cannot be cald into doubt or question. For if any man obiect that these things were done in the Conclaue, and therefore though they were true, yet were done in such secrecy, that to mee and others no Cardinals they could not bee knowne, let him know that matters done in the Conclaue, be they good or bad, direct or indirect, vpright or corrupt, are alwayes kept secret, or at least presumed so to be, whilst the Conclaue is shut: But when it is opened, the election done, and the Cardinals are out, they tell all things, some one thing, some another, some to one friend, some to another (as it is for the most part in all Councels, Parliaments, and Councell tables) and so all things come out by degrees, and come to be knowne, especially to such as are giuen to obserue and inquire into such proceedings. And besides, each Cardinal hath two seruants attending him in the Conclaue, these vse to write exactly all the passages and acts done euery day, and afterwards for mony giue out Copies, whereof you may be sure there will by buyers enow, and no man needes to doubt but he that will giue gold enough shall haue perfect notice, and full declaration of the most

Butrio. in cap. vestra de cohabet cler. & mulier.

Butrio. ibi. ver. venio ad quartari.

Clem. appellante de appellat. & plura ad hoc per Iacob. Card. de concil. l. 3. art. 1. nu. 141. & seq.

moſt ſecret matters that haue at any time paſt, during the whole time they were ſhut vp.

CHAP. II.

Another eauſe and matter prooving the neceſsity of a generall Councell, in regard of the notorious Symony of Paul the fifth, the preſent Pope.

LEt your Maieſty bee pleaſed I beſeech you diligently to reade, and aduiſedly to conſider the enſuing reaſons and allegations that I heere propound and declare againſt the Intruder now aliue, and vſurping the Papacy vnder the name of *Paul* the fifth, whereupon, and for which it cannot be denyed, but that a Councell ought of neceſſity to be called. And firſt of all, let this be preſuppoſed and laid downe for a ground & Maxime (whatſoeuer any filthy flattering Paraſits imagine, ſpeake or write to the contrary) that the Pope as Pope is not free from the crime of Symony, nor exempted from exception in that caſe, as *Aquinas* proues at large, concluding and reſoluing that the Pope as well as any other may incurre the vice, and come within the compaſſe of the crime of Symony. Now this crime is ſo much the greater and fouler, the greater the perſon is, and the more eminent place he holds that is guilty of it. And for better illuſtration of this ground, wee

Aquin. Sum. 2. 2. 100. art. 2 ad 7.

must

muſt know that howſoeuer the beneſices, treaſure and riches of the Church are the Popes as principall Steward, and diſpenſer of the ſame, yet are they not, nor do they belong any way to him, as Lord, owner, and poſſeſſor of them: If therefore the Pope takes mony for any thing ſpirituall, hee intangles himſelfe, and incurres the crime of Symony. Of this opinion are all the Diuines that write vpon the place of *Aquinas*, as Cardinall *Caietane*, and the reſt. And the ſame *Aquinas* in another place teacheth the very ſame doctrine, and that doctrine is agreeable to the Canon Law it ſelfe, and that Canon Law is taken out of an ancient Councell, where according to Saint *Hieroms* tranſlation, all the old high Prieſts are recounted, and then it is ſaid: Let no man doubt but for the ſinnes of the high Prieſts laid downe in this Chapter (of which, Symony was a chiefe) *Hieruſalem* was deſtroyed: And to ſhew that the ſame doctrine and law ſtands ſtill in force. The Councell of *Baſil*, euen for this crime and ſinne of Symony caled in queſtion, examined, conuicted and condemned *Eugenius* the fourth then Pope, and depriued him of the Papacy. The words of the Councels decree are theſe.

By this definitiue ſentence of the great and vniuerſall holy Councell, which is here recorded in writing for all the world to know, and all Poſterities to take notice of, the Councell pronounceth, decreeth, and declareth, Gabriel *formerly called Pope* Eugenius *the fourth, to haue beene, and to be a notorious and manifeſt, and* Concil. Baſil. ſeſſ. 34.

contumatious rebell to the warnings and commandements of the vniuerſall Church, & that he ſtill perſiſts in the ſaid open rebellion and diſobedience, and doth therefore condemne him for a wilfull contemner and violater of the holy ancient Canons, a partaker of the peace and vnity of the Church, a notorious ſcandalizer of the vniuerſall Church, a periured, incorrigible, and ſchiſmaticall Symoniſt, and therefore a forſaker of the faith, an Heretike, a didapidator, and conſumer of the rights and riches of the Church committed to his truſt, and hath therby made himſelfe an vnprofitable member, & not onely vnworthy and vnfit for the papall power, but of all other title, degree, honour or dignity Eccleſiaſticall. Whom the aforeſaid holy and generall Councell doth by the power of the holy Ghoſt declare and pronounce to be by the Law depriued of the papacy and Biſhopricke of Rome, and by theſe preſents it doth remoue, depoſe, depriue, and throw him out.

Hitherto the words of the Councell.

2 All the learned know this to be true. Now will I make plaine & diſcouer to them what they doe not know, by ſhewing that the like Symony was neuer committed in the Church in any ages paſt as hath beene hitherto, and is ſtil dayly practiſed by this preſent Pope. In the Datary, which is an office at Rome, wherein all matters of benefices and buſineſſes of that kind is expedited, this is the courſe & cuſtome at this day, it is duly obſerued that the benifices belonging to the Popes collection, whether reſerued to his gift, or falling

voyd

voyd in the month, that belongs to the Papacy; which in regard of their far diſtance from Rome, as for that they are with Cure, cannot bee giuen to his Nephew *Borgheſius*, are giuen to ſome of the ſutors, as Competitors that are of that country or next adioyning to it, for they take order that none be beſtowed preſently, but lye vacant for a time, that ſo a whole concourſe of Competitors may flocke together for it: which is not done for any good end, that ſo they might know the difference of the ſutors, & giue it to the worthieſt, as by the decree of the holy Councell of Trent they ought to do, but that they may learne who is the richeſt, and ſo may know how to make the beſt bargaine: To which end the time of this confluence or competition is appointed at a certaine day, whereof publicke notice is giuen, that ſo all ſutors may come, and that the Officers of the Datary, may learne in that meane time, which of all that ſeeke it are beſt able to buy out and extinguiſh the penſion that is laid vpon that liuing, for this is the faſhion now in vſe, the Pope chargeth euery liuing in his gift, with a penſion more or leſſe, ordinarily it amounts to the halfe of the whole value of the benefice, if but to a third part, it is held eaſie & fauourable, but ſometimes it extends to 2. parts of the whole, deuided into 3. which done, he prouides by another ordination, that by preſent payment of 5. yeeres profit, the penſion ſhall be extinguiſhed. Now when by this concourſe and compariſon of competitors, they haue found out which of them all is beſt able to buy it out, to him preſently it is conferred, and ſo inſtead of the worthieſt, the wealthieſt car-

Or elſe his ſonne.

ries it away, for all that ſtay, and delay, and making many ſue for it, is not to find out the worthineſſe of the perſon, but the wealth of his eſtate to whom they giue it: And thus are all the Popes liuings beſtowed at Rome. Now he that comes thus to a Benefice by paying down 5. yeeres penſion aforehand, buyes it full deere, for he paies for it at the rate of 30. in the 100. ouer and beſides his perſonall ſeruice, and diſcharge of the Cure of Soules, whereunto he is tyed and bound by law: For the cleering of this point, ſuppoſe a Benefice be worth 300. Crownes a yeere, this is ſure to be charged, being ſo great a liuing, with a penſion of the largeſt ſize, namely ſome 200. that ſo 100. may be left for the Incumbent. He then that comes to it in this manner, paies downe 1000. Crownes for the penſion, and 100. more for the Writing and Seales of his Bulls, and for expedition: and ſo all laid together, he buyes his liuing of 300. a yeere, at the rate of 30. for the 100. beſides his perſonall ſeruice and cure of Soules.

3 Moreouer, wheras in the holy *councel of Trent*, & certaine ſimoniacall tricks and deuiſes, called *Regreſſus*, and *expectatiuæ* are flatly forbidden, the Pope to delude the Councels decree grants *Coadinterſhips*, with aſſurance of future ſucceſſion after his death, to whom he is made a Coadintor, but makes them pay one yeeres profit for the expediting & diſpatch of their Bulls. Now theſe *Coadinterſhips* are the very ſame, and tend to the very ſame end, euen to bring in by hooke & crook, huge ſummes of mony, for by theſe penſions and buying out of penſions, this Pope hath ſcraped vp twenty hundred thouſand Scutes, all which he

hath beſtowed in buying Lands for his Nephew It is a common tricke in Rome, as they that either wade or trauell do well know that Popes & Cardinals in theſe latter times call their owne baſtards brothers or ſiſters children. But *Alexander* the ſixth, and *Paul* the third in elder times dealt more plainely, and were not aſhamed of them (though baſtards) but kept them in Court & aduanced them to honour as their children, as *Caſar Borgia* the Duke of *Parma*, and many more a brothers ſonne of his. Theſe particulars I am ſure of.

1 He bought of *Sarelli* a goodly large territory called *Rignanum* neere vnto Rome, at the price of 353000. Scutes.

2 The city of *Sulmona* in the kingdome of *Naples* he bought of the king of *Spaine*, and gaue for the ſame the ſumme of 150000. Scutes.

3 He purchaſed thoſe goodly demands called the foure *Caſalia*, within the territories of the city of *Rome*, which coſt no leſſe then 700000. Scutes.

4 In the mountainous countreys belonging to the citie which are commonly at ſixe in the hundreth, hee made a purchaſe that ſtood him in 400000. Scutes.

5 Hee hath built a Pallace & called it after his owne name the Pallace of the *Borgheſies* vpon the fabricke whereof hee hath beſtowed 300000. Scutes.

6 He hath ſo inriched the Cardinall *Borgheſius* Nephew in priuate ſtocks and wealth, that his very moueables are eſteemed worth 600000. Scutes.

Good God what a mighty wealth is here? and I appeale to any that knowes the Court of Rome if this could be by any meanes got together into the Popes owne coffers and priuate purſe, but onely out of that office of the benefices called the *Datarie*. Therefore this one demonſtration is preſumption ſufficient enough to proue his foule and deteſtable Simony, ſeeing it is certaine that the whole name & blood of the *Borgheſies* were but of a meane eſtate, nay many of them are knowne to haue run out of their liuings, and to bee little better then Bankerouts when this man got the Popedome.

4 Yet notwithſtanding that our faire and ſmeare dealing may better appeare. I will iuſtifie all I haue ſayd to be true, out of the authenticall bookes, records, and writings extant no where elſe but in Rome it ſelfe. For out of the Regiſter of the Popes Buls it ſhall appeare, to whom each Benefice hath bene giuen, and with what penſions they haue beene charged. And it ſhall alſo appeare, that the Pope hath reſerued, all thoſe penſions in ſuch a ſecret mentall reſeruation as it was neuer knowne for whom, or to whoſe vſe they were reſerued. But it ſhall be found that the ſayde penſions were after ward by compact extinguiſhed with the Maſter of the *Datary*, as the Proctor of that vnknowne perſon, to whoſe vſe the Pope had formerly reſerued thē in his ſecret thoghts. The *Spaniſh* nation can giue large teſtimony in this caſe, for many *Spaniards* haue dealt in buſineſſes of Benefices at Rome, and haue tranſacted them in this manner:

If

If therefore they be called and compelled by ſoueraigne power that needes not feare the Pope to tell the truth, euen they alone can make all good that I haue ſayd. And for better helpe to the truth, I hereby make it knowne, that the Buls inſtruments and writings of and concerning the ſayd Simoniacall bargaines, and buying of Benefices, are all to be found in the office of *Bettus*, a publicke Notary to the *Auditor of the Chamber*, in a certaine particular record there kept in ſecret belonging ſpecially, and onely to the *Borgheſies*.

5 Now for theſe ſo notorious Simonies of the Pope, that a generall Councell is to be ſummoned, and with all haſte called together all the learned in the world doe know, as the famous Cardinall *Iacobattus* prooues at large: for it is a cleere caſe in the Law, that Symoniſts are to be deteſted and euen ſpit vpon by all men as no better then prime and principall heretickes, not one man but ancient and authenticall Canons doe affirme it. And the foreſayd Cardinall doth there teach, and produceth many authorities to confirme it, that a notorious Simoniſt is a plain hereticke: now hereſie as it is great in all, ſo is it moſt greeuous, horrible, and enormous in the Pope, for he is appointed to ouerſee the Church & well to gouerne it, but hee may not do that by which the ſtate of the whole Church is hurt, and the very face of it beſmeered and defiled. And whereas all men, eſpecially thoſe of higher places in the world, ought all to take example of holineſſe from the Pope (who hath the title of holi-

Iacobat. Card. de Concil. l. 4. art. 3. nu: 55. & plur. ſeq. C. patet. 1. q. 1 & c per tuas de ſimonia: & in c. presbiter ver. ſimoniarũ hæreſini, & in c. benedictio, ver. in maledictionem conuertit & c. cauendum. 1. q 1 Iacobat. Dom. nu. 59. & ſeq.

holineſſe giuen him, which is to no creature elſe in the world.) Contrariwiſe, by theſe his notorious Symonies, deuotion and religion decayes in the world, and is in danger to be vtterly extinct, when all the Princes, great perſons, and lay Patrones of the world ſhall ſee the Pope, whom theſe hold themſelues bound to follow, take ſuch baſe, vnworthy, and irreligious courſes, to ſell for money that which is due onely to vertues and well doing. As alſo is learnedly and largely laid downe by another Cardinall of the Romane Church.

Card Zabarel in 1. Conſtitutis de regioſis domibus.

CAAP. III.

Of many more materiall cauſes why a generall Councell ſhould inſtantly bee called againſt the now Pope called Paul *the fifth: by which it is proued hat he is a troubler and diſturber of the peace and quiet ſtate of the vniuerſall Church.*

C. Si Papadiſt. 40. Abb. in cap ſignificaſti de elect. & in c. propoſuit. col. final. de conceſ. prebend. & in c. cum vidiſſet. col. 3. de Iudic. Bald. in c. olim de reſcript. Roman. in conſil. 124. Pet. de Monte in tract. de poteſt papæ. c. de concil. præmi nentia n. 13.

WHen the Popes crime is notorious, ſo as thereby the whole Church is ſcandalized, then ought a generall Councell to bee called together, that there hee may be heard and iudicially proceeded againſt. This is cleere by a famous Gloſſe vpon the canō Law, and ſuch a Gloſſe ſayth *Panormitane* as is receiued and approued of all. And the famous Lawyers *Baldus*, *Romanus*, *Petrus de Monte*, *Iacobatius*, &c. do teach with one conſent that all the whole

whole world approues that gloſſe for good law. And at this day, ſince they wrote it is canonized and made authenticke by the Councell of *Conſtance*. *Panormitane* ſayth, that there can be any error or fault knowne to bee in the Pope, by which the Church ſhall not be ſcandalized: for if he that is annoynted ſhall ſinne, the ſcandall of his offence ſhall make the people offend alſo, for proofe whereof he alledgeth *Moſes* in *Leuiticus*, and it is related in the body of the canon Law. But according to the ſurer opinion, and which we may ſafely reſt vpon, that Gloſſe is to bee vnderſtood of ſuch a crime of the Popes as is made notorious and brought into publicke notice with the greater part of the Prelates, and Gouernours of the Church, and the Princes and great perſons that liue in the church euen of the Laity. (And this is ſufficient to proue the church ſcandalized, if they be; and that his crimes are notorious to the church, if they be to them:) for when Chriſt bids, *If thy brother ſin againſt thee*, &c *tell the Church*. *S. Chryſoſtome* interpets it thus. Tel the Church, that is, thoſe that gouerne the Church, as it is alſo related in the canon Law, & whereas the Scripture ſayth that *Salomon* turned his face, and bleſſed the whole Church or congregation of *Iſrael*, the Church is not taken for the whole people of *Iſrael* (for all the people, neither were, nor could be preſent there,) but for the Princes, Prieſts, and chiefe of the people. Therefore then the Church is truely ſcandalized by the notorious and enormous crimes of the Pope, when they are knowne, and notice taken

Idem in c. de modis reſiſtendi Papæ Eccleſiam turbanti.
Iacobat. Card in tra. de Con. l. 3. art. 1. n. 170 &. ſeq.
Conci. Conſt. tit. de autorit. ſacri Concil. cap. 1.
Abb. in c. præpoſuit de conſ. preb.
Leuitic.
Rel. in c. magnæ de voto.
Iacobat. Card. de Concil. lib. 8. art. 4. n. 2.
Math. 18.
Chryſoſt. in Math.
Gloſſ. in cap. ſi peccaue vit 2. q. 1.
1. Reg. 8.

of them by the principall members and gouernours of the Church and Christian states. And that against a Pope thus scãdalizing & offending the Church by his notorious misdemeanours a generall Councel may be summoned and assembled, is out of all question: and that the Councell so called hath power to set downe such remedy as to them shall seeme best, be it by correcting & reforming the Pope, if he be corrigible, and his faults may admit pardon, or by deposing him, if he be vncorrigible as his crimes by their enormimity be not pardonable. And this the best Doctors do teach and proue at large.

Mantua de Concil. n. 216. Iacobat: Card de Concil l. 9. art. 12. n. 18. &c.

2 Now that *Paul* the present vsurper of the Papacy, doth trouble the state of the vniuersall Church, and giues occasion of foule scandall to all the christian world, I here vndertake to proue in many particulars.

1 He defends not the Ecclesiasticall power and iuridiction of the Church, and the right thereof, which were maintained by his predecessors, and so by them descended to him: and this is notorious to all Princes and Potentates of the world, and to all Prelates and Gouernors of the Church. Nay it is so notorious, that it hath been in publicke question iudicially. The state of *Venice* made a law, that Ecclesiasticall persons shall purchase nor take no more lands, and that they shall sell and part with, within one yeare all that of late times they haue possessed. Likewise they are so bold as to call and punish personally, Clearkes or Clergy men in this ciuill or temporall courts. They haue as good as extinguished the

Marke good Reader how farre the estate of Venice hath proceeded against the Pope and his power, and against his clergy.

the power and iuriſdiction of all Eccleſiaſticall Courts within their dominion, and ſhame not openly to profeſſe that they haue full and abſolute power ouer all Eccleſiaſticall perſons through all their dominions, and that from God ſo that in a word, there is no hope of Eccleſiaſticall immunitie to be ſetled there any more. For they preſume to lay violent hands vpon Clergy men, and throw into their priſons euen regular Monkes, nay Biſhops themſelues, and command them to reueale the ſecrets receiued in confeſſion, and commpell them to abſolue ſinnes and penitents as they thinke good. And when for theſe outragious courſes, this Pope had layd his cenſure vpon them, & interdicted their churches and had called in the Catholicke king to aſſiſt him againſt them, as the rebels of the Church: at laſt when all things for the warre were now in a readineſſe, he fell off like a coward, repented his doings, betrayed his friends and aſſociates, who put themſelues into armes in his quarrell, and was baſely content, not onely to reuoke the ſentence without any due ſatisfaction on their part, which muſt needs argue it proceeded from him either vnaduiſedly or vniuſtly, but euen payed them charges, as hauing done them wrong, for he releaſed vnto them his right in the tenths of Eccleſiaſticall liuings, which would well repaire their coſts or loſſes any way ſuſtained in that buſineſſe.

3 Secondly, Moreouer the *Millanois* and the *Florentines* haue begun to ſet at naught al rights and immunities of the church, which with them

are little better then euen dead and extinguisht. They cal their clergy to contribute to their publike workes, & if they stand vpon it, they counsell them: they suffer nothing to be published that comes from Rome, vnlesse it first be examined & approued by their owne iurisdiction. Thus the Breues & Buls of the Pope are no better vsed nor regarded with them then amongst heritickes. Againe, those of the citie & siegnory of *Luca* haue thrust & beaten out their Bishop, belike because he stood for the liberties of his Church, & compell their Clergy to also pardon and take indulgence from their owne Senate, they will haue in their Churches, and because the Vicar generall, did therefore inderdict and suspend their Churches, they run vpon with al fury and prosecuted him with that violence that hee was glad to flye for his life, and it was high time, for had hee beene taken they had hanged him. And in a word, matters are in these misgouerned times brought to this passe, that no man in Italy cares for any censure: insomuch as that great and terrible thunderbolt, that deepe striking and farre reaching censure the *Bulla Cœnæ* is not feared nor esteemed by one of a thousand. The Vice Roy of *Naples* presumed so far vpon the very person of the Popes nuntio, that he cõmanded him to bethrown out of the window, vnlesse hee presently would bee gone out of the Pallace, when alas he came into his presence but to make sute for certaine prisoners subiects of the church within that kingdõ, who contrary

See how Popery decayes, and the Popes authoritie fals away and is eclipsed and abridged dayly in Italy.

to

to the liberties of the Church, where committed to ſecular priſons, he craued audience only to be a Petitioner for their releaſe, and loe how hee was anſwered and entertained. What may wee looke for in *England*, *Germany*, *Denmarke*, &c. When the Popes Nuntio, a perſon priuiledged ſo many wayes, ſhall thus be vſed euen in *Italy*? Nor is this all, if any in that Kingdome of *Naples* take ſanctuary, and flye into the Churches, he commands them to be taken out, and executed according to Law.

Thus all Eccleſiaſticall liberties are infringed, all Immunities and Priuiledges of the Church are troden vnder foote, euen in *Italy* vnder the Popes noſe, in his ſight and hearing. Nay the very Eccleſiaſticall Courts all ouer *Italy*, are almoſt out of vſe, and as it were aboliſhed. And when the Pope heares thereof, or any of thoſe things, hee heares it with a deafe eare, hee cares not for it, it moues him not, and leaſt hee ſhould be moued with any ſuch thing, he takes order to heare of nothing that is tedious or troubleſome, or that may bring any griefe, ſorrow, or care with it. If any thing bee written from any of the Nuntioes or Legates, that toucheth the wrongs done to the Church, or infringing and weakning of Eccleſiaſticall Immunities, the Packets were alwayes intercepted by Cardinall *Borgheſius* his Nephew, who forthwith opens all the Letters, and giues him notice of ſome generall matters, and ſome ſuch generall and idle anſwere is againe returned, but no particular is told him of any moment, leaſt that

ſhould diſquiet his Holineſſe, and thus all buſſ-neſſes that concernes the Churches good lies vt-terly neglected. Theſe things are notorious to all Kings and Princes, and all the Prelates and Clergy doe feele it to their ſmart and ſorrow, for they ſowe and find that all rights of the Church, and liberties Eccleſiaſticall are falling away to nothing.

4 Now that ſuch ſluggiſhneſſe and carleſneſſe in your Pope and neglect of the Church, and rights of the ſame, by him to whom belongs of duty the conſeruation thereof, is of great ſcandall to the Chriſtian world, and is therefore a iuſt and a powerfull cauſe why a Generall Councell ſhould preſently bee called for the due examination and reformation thereof, is a plaine caſe. And *Durandus* that great Doctor and good Biſhop doth ſtrongly proue it: And it is an ouer-ruled caſe, yea a rule granted that, hee that is altogether vnprofitable or vnfit for the duty of his place, is all one with him that is dead: By vertue of which rule it followeth, that as when the Pope is dead, it belongs to the Electors to fall to the choiſe of another to ſucceed him; ſo when a Pope is become altogether idle and vnprofitable, and conſequently hurtfull to the Church, prouiſion ought to be made for the Church, either by his reformation, or ſetting another in his roome, as Cardinall *Iacobatius* proues at large.

Durandus de modo generalis con. celeb. par. 3. c. 39. C. inter corporalia de tranſlatione Epiſ.

Cardinal. Iacobat. ibid. l. 4. art 3.

5 It muſt not be denyed but that *Conſtantine* the great, after he was ſetled in the Empire, gaue to the Church, Rome as it ſtood, and great lands together with it: and why all this, but that the

Biſhop

Bishop of Rome might be able to maintaine the dignity and iurisdiction of the Church, and to augment the same continually: Hereupon the reuenues of the Church grew so excessiuely, as *Sixtus* the fifth, besides all his expences, & debts he paid, and many great workes hee perfected, some of them being exceedingly costly, laid vp euery yeere in the Castle of S. *Angell*, ten hundred thousand Scutes: From the time of *Sixtus* to this day, Saint *Peters* patrimony is not at all diminished, but well aduanced by the accesse of the goodly City and State of *Ferrara*: And at this day it must also bee richer in regard of the the great parsimony this Pope practiseth in some kinds, for whereas before his time there was spent in the Popes Court monthly 30000. Scutes, in expences of the Palace. *Paul* that now is, hath brought it downe to 5000. Now then what becomes of so great treasures of the Church? Who is hee suffered to condemne and deuoure it? but if he say it is all forth comming, why then is it not made to come forth, and bee imployed in maintaining & recouering the dignity, rights and royalties of the Church? if it bee not thus imployed, nor in some other publicke vse for the honour and good of the Church then where it is? It is fit the Church should know where her owne treasure is, and it belongs to the Emperour and other Christian Monarches to know what is become of it, and no doubt but by the lawes he may call the Pope to question and to account in this case, for it is a rule that a Priuiledge though once lawfully and reasonably

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granted, as this was by *Constantine* to the Pope) if it beginne to be hurtfull and preiudiciall, may be lawfully recalled, and consequently the Emperour and Christian Princes may take these huge soules which thus are stole away, and emberilled by tyrants, & those that haue thrust themselues into the vnlawfull possession of them, and imploy them in defence of the Roman Empire, and other Christan dominions, and in the augmentation of the same, by the recouery of the Kingdomes and Countries lost from the same.

C. Suggestum de decimis.

6 3. Againe. This Pope disturbs the state of the vniuersall Church, in setting to sale the profit and reuenues of Church liuings, and making them things vendible, which is contrary to the nature of them: Hee hath giuen license to very many Bishops, to pawne or morgage the rents and reuenues of their Bishoprickes for ten yeeres to come, vpon pretence thereby to pay their fathers debts. He gaue this leaue to the Cardinal *de Lewis*, being Bishop of *Miletum*, that he might pay 100000. Scutes of his fathers debts. And as soone as this vnworthy Bishop (but worthy enough for such a Pope) had morgaged all the profits of his Bishopricke for ten yeeres, and that morgage was made good by the license & confirmation of the Pope, by and by after he bestowed on the said Cardinall the Archbishopricke of *Ferrara*, and so hee let the Bishoprickc of *Miletum*, a title without profit, a shadow without a body to him that should haue it. He gaue leaue to Cardinall *Spinellus* to pawne the profits of his Bishopricke for ten yeeres. Nay to Cardinall

dinall *Montalto*, to morgage the reuenues of three Abbies: Monſtrous things and not heard in the worſt and moſt licentious times, and not once thought of in the dayes of his Predeceſſors: Now if any of theſe Morgagers dye, as like enough they may in ten yeeres ſpace, no worthy man will ſucceede them in thoſe places, or if they doe, they haue bare names without any liuing at all, for the great ſhame and ſcandall of the Chriſtian Church, and the danger of vtter vndoing thoſe places ſo morgaged: In this reſpect therefore he is to bee held an vnſufficient, vnworthy, and vnprofitable Pope, ſeeing hee ſo deſtroyes and conſumes the Church reuenues committed to his truſt, and the Law is cleere that it is ſo.

74. Yet further. This *Paul* troubles the ſtate and peace of the vniuerſall Church, in not duely puniſhing the foule faults and ſhamefull crimes of his Cardinals, and other great Perſons in the Court, and in the Church abroad, all which are his ſubiects and creatures: for by the Law he is no better then a dog, or a filthy ſhameleſſe creature that corrects not the enormous crimes of them that are vnder his power. And *Durandus* proues it that ſuch a one is not to be held or called a Pope. Now how farre he hath misbehaued himſelfe in this kind, and how foulely he hath ſhamed all Chriſtian Religion, do you iudge moſt wiſe King, and all other Chriſtians by theſe particulars following, which with a trembling hand, and a ſorrowfull heart, the truth and the neceſſity of theſe times compell mee to diſcouer.

Cap. 2. ſect finall. deſtrat. Mon.

C. qui: nec, regiminis 2. q. 7. Durandus de modo gen con celeb. part 1. rubr. n. 5. & rub. 4. n. 59.

Alas, how notorious is it in the Court to all that know or obſerue any thing, that two of the Clergy, nay euen Cardinals doe lye with their owne Kinſwomen, I am aſhamed to ſpeake it, euen their owne Brothers wiues, and who knowes not that one of them, not onely hath one of the youths his Catanite or Sodomitical companion, but that he vſeth as good as all his followers in that abominable faſhion: Oh Iuſtice where art thou? is there no place for thee in the Court of Rome? Let any man anſwere for him if they can, What iuſtice was it to commend two Sodomitical youths, an Italian the one, the other a Flemming, to be burnt in the back, and markt for Buggerers, and to ſuffer no Proceſſe in Law to proceed againſt the filthy Sodomites that were the doers, and were accuſed and openly deteſted by the young men. I deny not but their puniſhment was iuſt, but if that were iuſtice, what was it then to ſpare them whoſe fault was farre fouler: for by all law and reaſon, in that horrible and not to be named offence, more foule is the fault of the Agents then the Patients, and conſequently far greater the puniſhment ought to be. And why ſuffers he not law to paſſe vpon her, that as it is ſaid poyſoned his brother? Is it not becauſe the guiltineſſe of his Nephew in ſo fowle a crime ſhould bee knowne to the world? Thus Iuſtice and Iudgement are aſleepe or dead, and thereby vertue is baniſhed, vices beare rule with brazen faces.

The truth hereof, and much more as ill and worſe, M. *Sheldon* confirmes on his knowledge in his Surucy of popiſh miracles after them once.

Or at leaſt prouided poiſon for him, for the word is *Pyneraria*.

8 Now what ſaith the Law to the Pope that ſits and ſees, and ſuffers theſe things, euen this:

He

He is not a Bishop, but an impudent and shameless dog, that corrects not the faults of such as are vnder his power. And another text saith, that he highly offendeth God, though he be not so ill himselfe who lets the sinnes of his subiects to passe vnpunished: And if any to excuse him, say it is pitty, mercy or charity that makes him thus forbeare them, that helpes not: for as *Augustine* answereth, it is not charity but lazinesse, careles nes, want of zeale, feare of God, and loue of vertue, nay euen want of charity it selfe (not to correct great and scandalous faults) for how can that bee called loue that cares not how euill any one be? Another Text of the law saith, that they sinne grieuously that offend and scandalize others: And another, that such scandalizing members in the Church are to bee cut off, bee they neuer so great: And that for remouing of such a scandall, a generall Councell is to bee assembled, *Mantua* proues it by good Law, and the opinion of all the Doctors.

C. Nemo. dist. 73.

C. si it 23. q. 4.

Aug. in Epist. Iohan. relat. 23. q. 5.

C. Cawndum 10. q. 3.

C. Ille distinct. 93.

C. Illud. 24. q. 3

C. Vxor. 24 q. 1

Mantua de Concil. n. 216.

9 Fifthly, but are these all the euils and scandals the Church and Religion receiue by this Pope? Nay yet further hee foulely disturbs the state and order of the vniuersall Church, in giuing almost all Benefices and Ecclesiasticall liuings that come to his hand, to his carnall Kindred: That this is a publike iniury and disturbance to the whole Church. *Petrus de Monte* proues at large, in that booke hee wrote of the meanes how to resist the Pope when he hurts and troubles the Church: and so doth Cardinall *Caiatan* vpon *Thomas*, where he saith:

Pet. de Monte. de potest papæ cap. de modis resistendi papæ Ecclesiam turbanti. nu. 3.

Card Caiet. super. Tho. 2. 2. q. 100. art. 1. in fine.

The Pope is not Lord of the Goods, Treasures, and Liuings of the Church, but high Steward of them: Neither can hee by the fulnesse of his power, nor height of his Prorogatiue, giue at his owne pleasure such goods or liuings as to his owne Kindred, or whom else he will, but he is bound to bee a iust, wise, and faithfull Steward, according to that of the Apostle: Now amongst Dispensers and Stewards it is expected that euery one be found faithfull.

2. Cor. 4.

See euery one therefore, the Pope though he be the happiest, nay rather becausse he is the highest, lest all vnder Stewards bee vnfaithfull by his example: Now that this *Paul* is shamefully guilty in this point, I shall make it euident to your Maiesty, and all Christendome by making knowne his dayly practise.

All the Benefices or Spirituall Liuings without Cure, by what meanes they become vacant, be they great or bee they small, hee forthwith heapes them on his Nephew Cardinall *Borgheſie*: for if they bee of good value, then without delay or further consideration of any circumstances or conueniency, or distance, or sute of the people, those he giues him: If they be small, how small soeuer they be, so they be in *Italy*, hee forthwith makes an vnion of that little liuing to some greater, & so being vnited, that greater is giuen him also: So that there is no way for any man to obtaine any liuing in *Italy*, which by the largest sense of the Law may bee iudged

iudged to be without cure, but onely that yong Cardinall who by theſe indirect and vnworthy courſes, hath as many ſpirituall liuings on his ſhoulders as would well ſuffiſe halfe of all the Cardinals, for it is in euery mans mouth, that Cardinall *Borghiſius* hath no leſſe then two hundred and fifty thouſand Scutes yearely reuenew of Church liuings, (oh miſerable and monſtrous thing, and neuer heard of in the former, no not worſt times.) And behold the partially and vnequall dealing of this Pope. To the reſt of the Cardinals it is a ſhame to ſee how baſe and niggardly he is, except to his owne creatures and vaſſals, and to them alſo more then will eaſily be beleeued, for he neuer giues them any Benefice freely and ſimply: ſo he giues them but a little, & that little not cleerely; and if any man tender a reſignation of a liuing for another, ſimply and freely he will neuer admit it. Hee holds it for a rule to himſelfe, that it is not good the Cardinals hee makes himſelfe bee ouer rich, nay rather poore then rich, therefore hee giues them generally of the ſmaller liuings: And if ſometime perhaps hee beſtow on any ſpeciall fauorite of them, ſome rich Abby or good Biſhopricke, hee chargeth it with ſome good round penſion to be payd yearely out of it to his nephew *Borgheſius*, ſo as hee leaues to the poſſeſſor neuer more then 2000. crownes a yeare at the higheſt rate, and in the like manner all the Biſhopricks of the world beſtowed that are in the Popes guift. By which meanes almoſt all the Cardinals are but *Borgheſius* factors or ſtewards to gather vp the penſion

and other profits accruing to him out of Bishopricks and Abbices, and to pay them in to him. Againe, he suffers his Nephew to take and leaue, to chop and change, and turne ouer all the Bishopricks and great liuings as he list. He gaue him the Arch-Bishopricke of *Bononia*, which whilst he held, there fell a possibility that the Arch-bishopricke of *Ferrara* better then the other would shortly also be voyd, and because he could not by the law hold them both, a way was therefore deuised, that *Bononia* should be resigned, and so it was: but how? not honestly, plainly, and simply. But hee found a base fellow who was content to beare the name of the Arch-Bishopricke of *Bononia*, and accept his resignation, but to bee content with some 2000. crownes a yeare, and to be steward and factor for *Borgheſie* for all the rest, which is much more then was left to his successor, for his personall attendance Episcopall labours and expences. Mighty God, what infinite summes of money come in continually to that Nephew of his? Arise O God of Iustice, looke into it, and stirre vp some that shall call it into question, & examine what is become of it. Now how much the quiet state and good order of the vniuersall Church is disturbed by these courses, who knowes not, nay who almost feeles not: for by this meanes nothing is giuen for learning, nor to learned men: but they be learned men that the Church hath need of; and not prowd, pampered full fed Asses, which exalt themselues aboue the Cedars of Libanus, though if you speake of learning they be as blind as Moles, dumbe as a fish,

wise

wise as Woodcocks,& scarce tell how many fingers are on their right hand. But no matter for al this if they be his and his Nephewes fauourites as a kin to them. And yet *Durandus* in his booke written of the authoritie of Councell, teacheth and proueth that the Church by a general Councell ought to prouide and take order that the Pope do not exalt and enrich his carnall kinred by the Church liuings, or Ecclesiasticall treasure, and that he bestow not more on such of his kinred as be in holy orders then shall bee agreeable to their state, condition, and deserts, & that he raise not his kinred to honour and nobilitie aboue a competent proportion. But seeing this *Paul* surpasseth al his predecessors in this point, my motion therefore is but iust, legall and reasonable, that a generall Councell bee called against him, to reforme this foule disorder.

Part. 3. rule 28. nu 11.

10 6. And to conclude this catologue of his exormious disorders and disturbances of the Church, who knowes not how much it concerns the honour and happy welfare of the Church, that the Cardinals of the Romane Church bee euery way good and worthy men. To which end for preuenting of future mischiefes in that kind it was thus decreed in the Councell of *Basil.*

Concil. Basil. de numero & qualitate Cardinalium. Sess. 13.

Whereas he Cardinals of the holy Roman Church are the collaterall assistants to the Pope for his better gouerning, ordering, and directing the Christian world, it is behoofefull therefore that according to their name, they be indeed Cardines *that is the* Hinges *vpon the shoulders of whose wise-*

wisedome the gates and dores of the vniuersall Church may not onely depend, and open, and shut as occasion is, but euen safely rest and bee sustained. To which purpose the holy sacred Synod decreeth, that hereafter first for their number it be so moderated that it bee not burdensome to the Church, nor grow vile and contemptable by being ouer many: And we will that as farre as conueniently may bee, they bee chosen out of all nations of the Christian world, that so knowledge may better be had of all businesses and affaires, falling out in euery Country, and order taken in all things the more seasonably as the businesse shall require. Prouided their number shall not exceede xxiiij. *And of this number there may bee some but very few the Sonnes, or Brethren, or Nephewes of Kings or great Princes, in whom in regard of their excellency and emminency otherwise, a competent measure of learning shall suffise, being accompanied with circumspection, or experienced in wisedome, and gentlenesse of manners, &c.*

Now see what order the Councell tooke: and if you would know what mind the Doctors are of touching this point, let *Iacobatius* himselfe, a Cardinall speake for all: he after a long and serious dispensation vpon this very matter now in hand, thus concludes:

I am cleere of opinion, nay I beleeue it, that if the Pope misled by carnall reasons shall promote many to be Cardinals, who by their vnworthines

are

are incapable, and do proone vnprofitable and hurtfull to the Roman Church, that danger is so great that thereby is threatned vpon the whole vniuersall Church, that this alone is a sufficient cause of calling a Generall Councell: and if the Pope refuse or delay, it may assemble of it selfe without him, for a Pope refusing to call a Councell when neede is, seemes to make himselfe a stranger to the Church, and giues cause to be suspected in his Religion.

These be the Cardinals owne words, as a resolution to that question. Now let vs see how this *Paul* hath demeaned himselfe in this so great and weighty a matter of trust, namely the furnishing of the Church with worthy Cardinalls: first hee sets it downe for a rule, that he will haue no learned Cardinals in the Church; and why? but lest they should discouer his shamefull ignorance, & his horrible errors and misdemeanors, and lest they should trouble his consistory with motions that concerne the publike and generall good of the whole Church, which must needs hinder him in prosecution of his priuate ends, which he only cares for. Then this is the course he seekes vp & downe the Court for such onely to be Cardinals as may adhere only to his Nephew to make him Pope when it next falles voyd. To this end, first he will haue them yong men, who in likelihood may liue to see that day; next, they must be ignorant Asses, deuoyd of learning; nay further, base, and void of all generous dispositions, that so they may be content with meane reuenues, and conse-

quently may the more absolutely depend on his Nephew, who they know is able to doe for them. And thus it is manifested that the Cardinals hee makes are created on corrupt & carnall grounds, euen that himselfe may the more securely rob and spoile the Church for his owne time, and make
" way for his Nephewes (the Heretikes will vn-
" happily say his sonnes) preferment to the papacy after himselfe.

" 11 But let vs make this good in particular in-
" stances. Harken yee good Catholikes in Eng-
" land, Germany, France, &c. Who good soules
" doe verily thinke that at Rome is nothing but
" holinesse, deuotion and mortification, and in-
" deede Heauen vpon Earth: The Cardinals *Lantes*, *Capponus*, *Barberinus* and *Spinola*, where did these foure get their learning? in what Vniuersity proceeded they? nay, what learning haue they, or euer had, but to know how to make and contriue exchanges, thereby to bring in the great summes into *Pauls* purse? And how ascended they to their Cardinalships? Doe not we know the Offices they had before? and full freely they came to their red Hats, for *Paul* would not haue nothing for making them Cardinals, but he knew well the *Auditorship* of the Chamber was richly and readily worth 70000. Scutes, the *Treasurership* of the Chamber as much, and the *Clarkeship* 50000. these Offices they must part withall to the Pope freely, and then as freely they are rewarded with Cardinall hats, and shall haue the grace to be accounted the creatures followers, and fauorites of Cardinal *Borghesius*, the Popes nephew.

And

And when he hath made them Cardinals, liuing he giues them none, for hee makes such as by their liues and behauiours in their former Offices he saw could tell how to liue in a meaner place then a Cardinalship: And Pension or Benefice, he giues them none, vnlesse such as the Nephew is not capable of, or cannot hold by Law.

Marke good Reader, the Pope in his booke of Ceremonies ordaines that Cardinall Bishops are to haue precedence of kings; Cardinall priests of kings eldest sonnes, and Cardinall Deacons of other free Princes? Now are not these fit & worthy Cardinals to haue precedence of Princes: and is not she to be held a wise mother Church, and worthy to gouerne the whole world that makes such equall and reasonable ordinances? Or rather is not this the stepmother that hates the true children, nay the shameless Strumpet & whore of Babilon?

But what shall I say of Cardinall *Tontus Lanfrancus*: *De Lewis*, *Philonardus*, and others, whose names for shame I suppresse in silence. *Tontus* was a plaine Soliciter of causes, and so poore a one, and had so poore imployment, that he was cõmonly called the Solicitor without causes, his best meanes of liuing was a poore Pension of 15. Iulios monthly out of S. *Rokes* Chappell, giuen him for playing on their Organs on festiual daies. Thus an *Organist* on the holy day, and a *Sollicitor* on the weeke dayes is fit to bee a Cardinall for such a Pope as *Paul*. And as for *Lanfrancus* hee is so ignoble, obscure and base, as to this day it is neither knowne where he was borne, nor whose sonne he was, and answerable was his imploy ment, for in the Hospitall of them that are sicke of incurable diseases at *Naples*, hee liued by helping to cure the Poxe, or French disease: Was not heere a goodly possibility and a faire step to a Cardinalship? And yet no better place nor imployment had he when he was called thereunto: But as for those other two, namely *De Lewis* and *Philonardus*, Cardinals should I call them, or rather carnall beasts, for Cardinals should bee pillars of the Church, but these be rather pillars of

hell, I say no more for shame. Behold now you Princes and Peeres of Christendome, are we not brought to miserable cases when these are the men by whom the Christian-world & the Church is to be gouerned, is not the Church like to bee well gouerned? and are we not like to haue good Popes hereafter when they are to be chosen out of such as these? Alas will all men sit still, and seeke themselues, and suffer the Church to fall to ruine euery day? What will become hereof in the end.

12. Now by all these the Church is the more grieuously scandalized, for that all men do verily beleeue that this *Paul* doth all these foule, disordered, irregular, and irreligious things for this very end, that he may leaue his Nephew *Borgheſie* his successor after him in the Papacy, for *Paul* being now newly past his middle and mature age, and but entring into that state of life we call old age, hath hope enough to hold out many yeeres, and feeds himselfe with reasonable assurance that he shall out liue all the Cardinals created by his Predecessors, and so in his time renue the whole Colledge of Cardinals, & leaue them behind him all of his owne making. And to further the same end he generally makes none Cardinals but yong men that may liue long, and those also for learning very ignorant, and for estate poore, that so they may be slaues to *Borgheſie*, and alwaies bee pind vpon his sleeue: and heapes vpon that *Borgheſie* all the Ecclesiasticall liuings, and riches of the Church, besides other infinite treasures in Lands, Iewels, and Mony, to the intent that when

when the Papacy ſhall be void, and another to be choſen, he may by diſtribution of thoſe liuings and riches amongſt the Cardinals that are electors, procure himſelfe to bee choſen Pope. And thus the Papacy and the Church, and all wee are bought and ſold, and therefore this miſery and miſchiefe is come in time to bee preuented, for if matters goe on from ill to worſe, ruine muſt needes come to the Church and Catholike Religion.

Then to conclude.

There is no wiſe or godly man can deny but that vpon theſe cauſes particularly ſpecified, and all ioyntly laid together, there is more then iuſt cauſe that a Generall Councell bee aſſembled for the releaſe and reformation of the Church.

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13 CHAP.

CHAP. IIII.

That the calling of a generall Councell as this case ſtands (belongs not to the Pope) but only to the Emperour.

ALthough it were true; and granted that the calling of a Generall Councell belongs of right to the Pope, and vpon his denyall or refuſall of the Colledge of Cardinals, as after many others. Cardinall *Iacobatius* proues very ſufficiently (who handled this matter more largely then any before him) yet all that notwithſtanding when the queſtion is againſt the Pope himſelfe, and againſt the Cardinals (whom he hath vnlawfully created as that in law they be no Cardinals) and againſt ſuch as take part with the Pope, and are knowne to be guilty of the ſame crimes with him or them: That then the calling of a Generall Councell belongs neither to the Pope, nor to any, nor all ſuch Cardinals, but onely to the Emperour (and other temporall Princes) is a cleere caſe to all that know the Law, yet to make it more euident to all men, I will make it good with theſe Reaſons.

Iaco. Card. de concil. l. 3. art. 1 per totum.

When in any matter or cauſe, the conſent of a Prelate or a ſuperiour is required according to that wee finde in the Law: If the queſtion proue to be againſt that ſuperiour, then his conſent is not neceſſary, as teach the Doctors and interpreters vpon the Canon Law. And when any Prelate or ſuperiour, that is head of any body is ſuſpected

C. cauſam quæ de iudiciis.

In cap. edoceri de reſcript. & eſt gloſſ. in c. quam paſtoris 2. q. 7.

pected or queſtioned, all of that body that follow him or take part of him are drawne iuſtly into the ſame ſuſpicion and queſtion, and the ſame iudgement is to be giuen of them as of the head; as *Vincentius* noteth, whom *Panormitan* followeth, and many more, and *Baldus* likewiſe teacheth the ſame. And to conclude, the ſame iudgement is to be giuen of the Adherents and Partakers, as of the Principall is plaine in all Lawes, and by the Interpreters vpon the ſame.

In c. de iudiciis L. 1. in prin. C. ſi rector. preuaricia, & ibi notat. Abb. in c. accedens vt late non conteſtata. C. ad Apl. de re iudicata l. 6. notat. in c. 1. de poſtulatione prælatorum & l. quæ religioſis. Et ibi Angelus F. de Rei. vindicatione.

Wherefore if the queſtion be againſt the Pope and his Cardinals who by the Law are forbidden to be Iudges in their owne cauſe, if the queſtion againſt them cannot fully be heard and iudged without a Gouncell. It then belongs to the Emperour of right, to call the ſaid Councell: as *Iacobatius* himſelfe a Cardinall proues vndeniably, and proues that in ſuch caſes is no deuolution from the Pope to the Cardinals, but from them both to the Emperour. And of the ſame opinion and iudgement are the Doctors that make the additions vnto *Panormitan*, and that addition which begins whether and when the Councell is aboue the Pope.

Iacobat d. art 1, n. 71. & ſeq. n. 74. Addentes ad Abb. in c. ſignificaſti de electione. addit. an. & c. in 10. limitat.

2. And if it were not thus that the Emperour might in this caſe call a Councell, it would follow that the Pope & his Cardinals againſt whom the accuſation is laid, might diſobey the Chriſtian faith, and ouerthrow the ſtate of the vniuerſall Church which the Emperour is not to ſuffer; it being his duty before God, & by his Law to defend the Church for he repreſents the whole common wealth of the Chriſtian world, and vpon him is tranſlated, and vnto him deriued no limited autho-

C. Nos ad finem diſt. 90 L. 2 §. nouiſſimus F. de origine iuris l. 1. § 600. enim l. de vetere iure enucleando.

authority, but a power and authority ouer the whole world. Therefore, hee in the roome and stead of the whole body of Christendome, and of all the Christian people of the world is to call together that Councell against him.

3 Againe when there is a question or notorious suspiciō against the cardinals, as namely that they were created by the Pope after he had renounced or resigned vp the Papacy, then that those Cardinals cannot call a Councell, but that it belongs to the people to do it, as a cleere case in the Law. And to the same purpose is the text in the distinctions. But this that the people should call, it is to be vnderstood when the Councel is to be held in *Rome*, as Cardinall *Iacobatius* makes it apparant But when in any other place but Rome, then it is euident and certaine, it belongs to the Emperonr who stands instead not onely of the people of Rome, but of the vniuersall World. Yea though it were to be at Rome, yet in truth and strickt law it belongs to the Emperour, seeing it is a cleere case in the Law, that the power of all the people in the world, (see, not some but all, and if all the people in the world, then of the people of Rome, as well as the rest) is translated, and conferred and setled vponhis person. And good Reason, for he is a great part of the Councel himselfe, and hath a power and interrest to be there in his owne right: the power therefore in this case deuolued vpon him, as the immediate superiour, as appeares by the arguments of the Doctors vpon a speciall chapter of the Canon law.

C. 1. de renun. l. 6.
C. Si forte dist. 6.
Iacobat. in d. art 1. n. 286.
in c. nulla Eccles. Ministeria de concess. præbend.

4 Now all this that I haue said & written touching this point, according to the resolusiōs & conclu-

cluſions which now are holden in Rome: for if we ſpeake of the former times, then you are to know that from the beginning, the calling of Councels belonged onely to the Emperours. Great *Conſtantine* called the firſt Generall Councell, as the Canon Law it ſelfe acknowledgeth: and the ſame alſo appeares in the beginning of the Councell of *Afrike*: In like manner *Valentinian* aſſembled another genetall Councell, as is alſo to be ſeene in the Canon Law, where wee reade that *Valentinian* then Emperour, called together a Councell, to pacifie and take away a ſcandall then raiſed againſt the Pope. And ſo was the Councell of *Conſtantinople* called by the Emperour in the dayes of *Conſtantine*, the ſonne of *Conſtantinus*, as wee may ſee in the beginning of euery Seſſion of that Councell, as alſo in the Acts of the Councell of *Agatha*, in the beginning of euery action. Wherefore though it were granted that at this day the calling of a Councell is reſerued to the Pope, and in his default to the Cardinals, yet ſhall it follow, that ſeeing they both make default, and will call none, becauſe they both are the offenders againſt whom it is to be called, it therefore now belongs to the Emperour to doe it, according to that good and ancient rule of the Law. *That any thing eaſily reuerts to it owne and former nature.*

C. Sextam, &c. habeo libruu diſt. 16. C. Valentinianus diſt. 63. & c. mand. 2. q. 5.

And if it bee ſaid that Interpellation (as the Lawyers call it) muſt firſt bee made before the Emperour may take this power, it is anſwered that in caſes notorious Interpellation is not of neceſſity, but they may be adiudged defectiue or

Iacobat. in d. art 1 n. 206

negligent without it, as Cardinall *Iacobatius* proues. Now the present causes of calling a generall Councell are notorious, & the scandol that by them is giuen to the whole world is more then notorious. And this rule holds, euen allowing a reasonable time, wherin probably he might haue done it, although no precise time bee limited for the doing of it, as is euident in the Law. And least of all is his Interpellation necessary, against whom the accusation is instituted, and the Councell called.

Vt in simili. c. 1. §. notoria. de consil lib. 6.

5 And howsoeuer a Generall Councell assembled by the Emperour, hath not the authority of the Pope, yet may it not therefore be held or called a Conuenticle, for that the Councell it selfe, the head whereof is *Iesus Christ* himselfe, as *Hostiensis* the Cardinall proues euidently out of the Canon Law. And so we also do find in the councell of *Constance*, namely, that a generall Councell hath his power and authority immediatly from Christ; immediatly, that is without relation to, or dependance from, or any interposition of the Pope, either when there is no Pope, or such a one as will not preuent great mischiefes and euils that be eminent ouer the Church. And no lesse is also affirmed and proued by the foresaid Cardinall *Iacobatius*.

Host. & refert gloss. in c. 1. de schis. l 6.

Iacobat Card. in d. art. 1. n. 197

Nay, to make all stronger. The Councell when it is assemled may require the Pope to confirme it, which if he refuse to doe, the Councel hath iust cause to hold him in suspicion of Heresie for his refusing to confirme it, and may interpose it owne authority instead of the Pope, and this

this is the very doctrine of that often mentioned Cardinall *Iacobatius.*

6 Nor is it to purpose to obiect that thus the Councell shall giue authority to it selfe, and to it owne acts (which is against reason and Iustice) for the Councell represents the whole vniuersall body of the Church, the head whereof is Christ; neither are the acts of a Councell the acts of any particular person, priuate nor publicke, and consequently notable to this, as also the same Cardinall toucheth in the same place. And yet we are to know for this point, that as a Iudge may lawfully pronounce himselfe to bee a competent Iudge; when being so, it is questioned whether he be so or no: So also may the Councell pronounce it selfe a lawfull Councell, and lawfully assembled, and that sentence shall bee good, certaine and vncontrollable, and so was it done in your councell of *Constance* as appeares in the publicke Records of the same Councell.

Id. in d. art 1. nn. 206

Art d. c. 1. nu. 206.

C. Super literis de rescript: sess 3. c. 1.

Cardinall Iacobatius *is so often alledged for that he is an Author allowed in* Rome, *in Schooles and Courts, and his Conclusions are held good, and generally receiued at* Rome, *so that his Authority is beyond all exception.*

FINIS.

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FINIS

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TO THE RIGHT HONOVRABLE THE highly honoured and much loued *George* Lord Marqueſſe of Buckingham, &c. all true honour and happineſſe.

RIGHT HONOVRABLE

AS this booke in Latine was ſent to his Maieſtie from one vnknowne to vs : ſo is the Engliſh ſent your Lordſhip from one not much knowne to you: He left it dying as a Legacy to his Maieſtie, I yet aliue ſend it as a liuing and laſting teſtimony of my loue and duty to your Lordſhip : and ſeeing the Latine was directed to his Maieſtie, my hope is, his Highnes will neither hold it preſumption in your Lordſhip, nor indiſcretion in mee, that the Engliſh bee made yours. And indeed to whom ſhould ſuch a booke be ſent that ſo highly concernes religion, but to the 2. high Patrons and protectors of religion, his Maieſtie next vnder God, and you next vnder him and his. Accept right Honourable this *New Man* for a New-yeares guift, your Lordſhip may haue many richer in ſhew, but few in ſubſtance. Reade it (right noble Lord) and blame me if you hold not your time and labor well beſtowed. Two qualities, or rather a quantity and a quality commend it to your reading. It is ſhort and ſweete, for though it ſpeake of filthy men,

and foule matters (an vnsauoury subiect) yet were it euer welcome and well pleasing to men of vnderstanding, to see hypocrites vnmasked, & their wicked enemies discouered & described in their own colours, who bee your Lordships enemies but his Maiesties and who are his but Gods; and who Gods enemies and his and yours, but the diuell, the Turke, the Pope and the Iesuite. Now that Man of sin the Pope, and his Throne that chaire of pestilence and his trayterous and cursed court of Rome, the ancient enemie of this Crowne and Kingdome, and Religion: were neuer so laid out to the worlds view in so full a measure, in so perfect colors, and in so litle a roome as in this booke. And surely if your Lordship would hunt with in doores this hard weather here is trim & true sport indeede: for neuer were the Romish wolues & Foxes so hunted by any of our wisest and most earnest hunters as here by this *Italian*, who was therfore better acquainted with their lurking holes and craftie euasions: Good sport it must needs bee to see these great blood-suckers of the Christian world ferretted out so finely and so hotly pursued, and that by one of their owne blood-hounds, who beeing well inured to their sent, knew how to trace and follow them by the foote: who hee was that wrote it I know not, nor can I guesse, if it were not that famous Doctor Marta: but your Lordship may learne this sooner then I. Seeing vndoubtedly his Maiestie knowes it, and as wee all good professors of true Religion haue cause to blesse God for sending his Maiestie the booke, and humbly to thanke his goodnes who made that common that was his owne, so it beseemes vs not to search into that his Maiestie pleaseth

to

to referue as a ſecret: I therfore turne to my owne taske and do commend to your Lordſhips iudgment theſe points, when you haue read this booke.

Firſt, whether all the world as well as wee haue not cauſe to acknowledge his Maieſtie a true defender of the faith and a zealous maintainer of his Religion, who publiſhed this Booke to the wounding of popery euen at the heart, it being in his power to haue ſuppreſt it, and yet the world could neuer haue charged him with it.

Secondly, whether thay can be found ſincere, & faithfull Subiects, or true friends to his Maieſty, that ſpeake, or thinke, or conceaue, or hope otherwiſe of him.

Thirdly, that beeing true that is in the firſt chapter of this booke auerred and maintayned, whether it bee not in the power of his Maieſty, and the King of Spaine, to ouerthrowe the Pope, and popery, when it ſhall pleaſe God they come together.

Fourthly, if this booke be true (as it appeares to be ſeeing all theſe nine yeares it was neuer diſproued) whether theſe bee not wilfully blinded that will ſtill bee papiſts.

Noble Lord, as the world thanked his Maieſty for the booke in latine, ſo is it my deſier your nation and all his Maieſties dominions, may thanke your Lordſhip for the ſame in engliſh, and receiue it from your Honorable hands as a pledge of that ſincere loue you beare to true Religion: wherof as I was lately a willing wittnes, ſo ſhall I not ſpare to ſpeake and ſpred it: and that God may confirme in you that his holy and good worke, there neuer ſhall want the dayly and deuout prayers, together with the beſt ſeruice of your Lordſhips humble and faithfull ſeruant,

W. Craſhaw.

To the Reader.

GOod Reader be pleased further to obserue for thy better vnderstanding, that this booke being sent his Maiesty in or about 1611. was in 1612. published by his Maiesties direction and authority, and was translated in 1616. and then allowed, & had then come forth in English, but that the Copy, by what accidēt I know not, nor by whose meanes was purloyned, and little better then lost for diuers yeeres: and though now there be another Pope, yet the exceptions against the Papacy and Popish Religion are still the same: Remember this as thou readest, and euer remember me to God in thy deuotions:

Thy Brother, desirous to be
a helper of thy faith,

W. C.

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